



## **Board of Zoning Appeals MEETING AGENDA**

Tuesday, December 20, 2022 - 9:00 AM  
Council Chambers, Easton Town Office  
14 S Harrison Street

**1. Call to Order**

**2. Approval of Minutes**

- a. Approval of Minutes from the 11/15/2022 meeting.

**3. Applications**

- |                                                                                                                                          |                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>a.   <b>Application</b><br/>      <b>Location</b><br/>      <b>Applicant</b><br/>      <b>Owner</b><br/><br/>      <b>Request</b></p> | <p>A-22-02<br/>24 N. Aurora Street<br/>Zachary A. Smith<br/>Jonathan and Laura Ryan<br/>Appeal of Historic District Commission decision<br/>for high-quality architectural grade asphalt<br/>shingle roof material.</p> |
| <p>b.   <b>Application:</b><br/>      <b>Location:</b><br/>      <b>Applicant:</b><br/>      <b>Owner:</b><br/>      <b>Request:</b></p> | <p>SE-838 / SE 22-18<br/>1006 S. Washington Street<br/>Brendan Mullaney, MDSW<br/>Dacourt Properties, LLC<br/>Special Exception as a Live-Work Unit</p>                                                                 |

**4. Adjournment**

# Exhibit 'A'



Town of Easton  
Engineering, Planning and Zoning  
14 South Harrison Street, Easton, MD 21601

## Board of Zoning Appeals Application

### Application Type

☐ Variance ☒ Appeal ☐ Special Exception

### Property Information

|                     |                                     |      |                          |                                     |                          |
|---------------------|-------------------------------------|------|--------------------------|-------------------------------------|--------------------------|
| Address             | 24 N. Aurora Street                 |      |                          |                                     |                          |
| Tax Map             | 103                                 | Grid |                          | Parcel                              | 113                      |
| Deed Reference:     | Liber                               | 2536 | Folio                    | 194                                 | Lot                      |
| Plat Reference:     | Liber                               |      | Folio                    |                                     |                          |
| Existing Use        | Residential                         |      |                          |                                     |                          |
| Zoning District     | R 7A                                |      |                          |                                     |                          |
| Historic District Y | <input checked="" type="checkbox"/> | N    | <input type="checkbox"/> | PRD Y                               | <input type="checkbox"/> |
|                     |                                     |      | N                        | <input checked="" type="checkbox"/> |                          |

### Owner

|                 |                                       |       |
|-----------------|---------------------------------------|-------|
| Name            | Jonathan & Laura Ryan                 |       |
| Mailing Address | 24 N. Aurora Street, Easton, MD 21601 |       |
| Telephone No.   |                                       | Email |

### Applicant or Agent

|                 |                                              |                             |
|-----------------|----------------------------------------------|-----------------------------|
| Name            | Zachary A. Smith                             |                             |
| Mailing Address | 114 Bay Street, Building C, Easton, MD 21601 |                             |
| Telephone No.   | 410-819-8989                                 | Email zachsmith@alrwlaw.com |

### Surveyor / Engineer

|                 |  |             |  |                 |  |
|-----------------|--|-------------|--|-----------------|--|
| Name            |  | License No. |  | Expiration Date |  |
| Mailing Address |  |             |  |                 |  |
| Telephone No.   |  | Email       |  |                 |  |

### Request Details

Subject to Previous BOZA Application Y ☐ N ☒ (not to Applicant's Knowledge)

|                          |         |
|--------------------------|---------|
| Zoning Ordinance Section | 28-1303 |
| Change From              |         |
|                          | to      |

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

|              |
|--------------|
| See Attached |
|              |
|              |
|              |

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.



- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

*Any modifications during review shall warrant an updated application.*

*I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.*

Signature of Applicant or Agent

Date



Printed Name of Applicant or Agent

11/8/22

Zachary A. Smith

*For Office Use Only*

|                       |                   |                          |                 |
|-----------------------|-------------------|--------------------------|-----------------|
| Project Number        | <b>22-0808</b>    | Fee Received             | <b>\$550.00</b> |
| Application Number    | <b>A-22-02</b>    | Application Notification |                 |
| Filing Date           | <b>11/08/2022</b> | Property Posting Date    |                 |
| BOZA Hearing Date     | <b>12/20/2022</b> | Notice(s) Published      |                 |
| If ESDR, Date         |                   | <b>SEE EXHIBIT "F"</b>   |                 |
| <i>Revised 2-2019</i> |                   |                          |                 |

### PURPOSE OF APPEAL

Jonathan & Laura Ryan (collectively, the “Appellants”), the owners of 24 N. Aurora Street (“Property”), allege that the Easton Historic District Commission (“HDC”) erred in denying the Appellants’ application to replace the deteriorated modern wood roof on their home with a new high quality architectural asphalt shingle roof. The existing modern wood roof is undoubtedly not “historic” material, as it is believed to have been installed around 2011. Furthermore, it is unclear what roofing material may have existed originally, but the earliest photographs that were found of the structure show a synthetic roof material, believed to be either asphalt or asbestos. Under these circumstances the HDC Guidelines clearly state that architectural asphalt shingles are an appropriate substitute roof material. Notwithstanding that clear direction in the HDC Guidelines, the HDC arbitrarily created a heightened standard for the review of this particular property and mandated that the Appellants purchase and install a synthetic cedar material that is more than four (4) times as expensive, and which importantly is not expressly identified in the HDC Guidelines as an appropriate substitute material under the circumstances. **In light of the clear errors made by the HDC, the Appellants respectfully request that the Board REVERSE the HDC’s denial of the Application, and APPROVE the use of the high-quality architectural grade asphalt shingle roof material, a material that is clearly appropriate under the circumstances pursuant to both the express language of the HDC Guidelines and well-established HDC precedent.**

### STATEMENT OF FACTS

The Property is located within the Eaton Historic District (“District”), and is designated as a “contributing” structure.<sup>1</sup> Exterior modifications to structures within the District require a “certificate of appropriateness.”<sup>2</sup>

Earlier this year the modern wood roof on the Appellants’ home began to fail, leading to interior damage from water and rodent infiltration.<sup>3</sup> To correct this issue, the Appellants contacted two (2) roofing contractors for proposals. Both roofers confirmed that the shingle roof needed to be replaced in its entirety.<sup>4</sup> The Appellants obtained pricing for replacement material consisting of architectural grade asphalt shingles, cedar shakes and synthetic cedar shakes. Based on personal preferences and the recommendations of the roofing contractors, the Appellants desired to move forward with the architectural grade asphalt shingles. The Appellants decided against the wood material for the following reasons: (i) it is highly combustible and constitutes a greater risk to the life and safety of Appellants and their family, (ii) will be approximately four (4) times more expensive to install relative to the asphalt shingle product, (iii) the Appellants’ research suggests that the wood product will not last a sufficient period, and indeed the existing modern wood roof appears to have failed after approximately 10 years, and (iv) cedar comes with a warranty that far

---

<sup>1</sup> See 2012 Easton Historic District Survey

<sup>2</sup> See §28-601 of the Town Code

<sup>3</sup> See photographs in HDC Application attached hereto as Exhibit A

<sup>4</sup> The Appellants’ home has several roof sections that are not shingled, and which are not sought to be replaced under the Application. The shingled portion of the roof system covers approximately 60% of the structure.

inferior to the warranty provided for the asphalt product. The use of synthetic cedar (or synthetic slate) material seemingly addresses concerns (i), (iii) and (iv) above, but similar to actual cedar the synthetic cedar (or synthetic slate) costs approximately four (4) times more than the selected high-quality architectural asphalt shingle material. Furthermore, the architectural asphalt shingles appear to be more compatible with the District and the structures that surround the Property, as architectural asphalt shingles have become seemingly ubiquitous throughout the District and have been approved on a number of historically significant structures, including the Bullitt House, the James Neal House (Talbot County Historical Society) and the former Bartlett Pear Inn. For these reasons, the Appellants decided to move forward with a high-quality architectural grade asphalt shingle product.

The Appellants filed an application for a certificate of appropriateness seeking approval of the selected roofing material ("Application").<sup>5</sup> The Application was denied by the HDC on October 10, 2022.<sup>6</sup>

While the current roof is comprised of a modern wood material, both the Appellants and the HDC agreed at the meeting that (i) the "historic material" has been lost, and (ii) little is known about the original appearance of the roof. Photographs of the home obtained from the Talbot County Historical Society show that the home had a roof comprised of a synthetic roof material in the 1980s, suspected to be either asphalt or asbestos shingles.<sup>7</sup> Furthermore, the architectural survey file for the Property<sup>8</sup> dated August 29, 1967, discusses in great detail the historically significant features and materials of the home. Strikingly absent from this survey is any mention of the roofing material that existed at that time, which leads to the reasonable presumption that a synthetic roof material was present at the time that the survey was performed. The survey does note that "*although little of the federal character has survived, the building is impressive in its massiveness and interesting because of its many additions.*"<sup>9</sup> While it is unknown what the original roofing material of this home may have been, it is clear that the original material was removed long ago and there is no clear record of what previously existed.

Under the circumstances the HDC did not object to the removal of the existing modern wood roof, and reached a consensus that the use of a synthetic substitute material is appropriate. The HDC would not however approve the proposed substitute material, being architectural asphalt shingles, and instead insisted that the Appellants utilize a much more expensive synthetic cedar material.

The Appellants timely noted this Appeal seeking review of the HDC's decision to deny the Application. The Board's authority to review the decision and to grant the relief requested herein is set forth in §28-1303 of the Town Code.

---

<sup>5</sup> Attached hereto as Exhibit A

<sup>6</sup> See HDC meeting minutes, attached hereto as Exhibit B

<sup>7</sup> See photograph attached hereto as Exhibit C

<sup>8</sup> Attached hereto as Exhibit D

<sup>9</sup> See page 2 of Exhibit D

## ALLEGATIONS OF ERROR

The Appellants allege that the HDC made the following errors with respect to its review of the Application and the denial thereof:

**I. The HDC erred in denying the Appellants' request to install architectural grade asphalt shingles, when such material is expressly deemed to be an appropriate substitute material under the circumstances pursuant to the HDC Guidelines.**

As stated above, the HDC acknowledged that the existing roof is not original, and that no one knows for sure what the original roof material may have been. Based on the photograph from the 1980s, the HDC acknowledged that per the record the earliest roof material that is known to have been on the structure is a synthetic material, most likely either asphalt or asbestos shingles. The HDC did not object to the needed removal of the existing roof, and reached a consensus that it is appropriate to replace the existing modern wood roof with a synthetic substitute material.

The substitute material proposed by the Appellants is a Timberline HDZ architectural grade asphalt shingle, a product that has been commonly used throughout the District, and which the HDC has routinely approved for use on both "contributing" and "noncontributing" structures. The Appellants' roof contractor has indicated that it has received approval from the HDC to use that same product on many contributing buildings throughout the District, including most recently the former Bartlett Pear Inn. Having determined that the use of a substitute material is appropriate under the circumstances, the HDC had no defensible basis for denying the Appellants' request to utilize a high-quality architectural asphalt shingle, consistent with roofing material that has been commonly approved and utilized throughout the District.

Beyond the well-established precedent formed by the routine approval of the use of this product, the use of such under the circumstances is also clearly supported by the HDC Guidelines. The Guidelines state that replacement roof material should either "*match the existing material or be a roofing material that is consistent with the building's architectural style.*"<sup>10</sup> The Guidelines clearly authorize the use of architectural asphalt shingles in this instance, specifically page 157 of the Guidelines states:

*"Architectural shingles are designed to mimic the naturalistic appearance of traditional roofing materials like slate and timber. Architectural shingles may serve as an appropriate replacement for severely deteriorated slate or timber roofs, as well as existing tab-style shingle."*

The Guidelines go on to define when exactly it is appropriate to utilize a synthetic material, specifically in Appendix B. Substitute Materials, which states in pertinent part:

*"There are instances in which utilizing substitute materials may be appropriate, including ..... When the historic feature has already been lost and little is known about its original appearance."*

---

<sup>10</sup> HDC Guidelines, pg. 100 (emphasis added)

Appendix B then outlines certain factors that are to be considered in evaluating a substitute material for a particular application, including:

- *Is the existing material historic?*
- *Is it a character defining feature of the building?*
- *Will the new materials cover or replace existing historic fabric?*
- *Will the product realistically match the original feature or material in size, proportion, detail, profile, texture, and finish?*
- *Is the new product durable as compared to the historic material in the same environment?*

During their presentation to the HDC the Appellants addressed how the proposed substitute material satisfies each of the factors enumerated in Appendix B of the HDC Guidelines. The Appellants' responses are summarized in the following **BOLD** text:

- *Is the existing material historic?* **No, clearly the most historic photograph of the structure that is available shows a synthetic roof material, probably asphalt or asbestos. The existing modern wood roof is clearly not historic material, it is believed to have been installed around 2011.**
- *Is it [the modern wood roof] a character defining feature of the building?* **No, nothing is stated in the 1967 survey about the roof material, and there appears to be no other documentation or records suggesting that the roof on the home is a character defining feature. The survey clearly identifies the character defining features of the home, and the roof is not mentioned. Additionally, the survey states that “little of the federal character has survived,” and again includes no mention of the roof that existed at that time, which is presumed to have been a synthetic material, probably asphalt or asbestos shingles.**
- *Will the new materials cover or replace existing historic fabric?* **No, the Appellants confirmed that there is no roofing material under the existing modern wood roof.**
- *Will the product realistically match the original feature or material in size, proportion, detail, profile, texture, and finish?* **Again, no one knows for certain what the original roof may have been. All parties agree that the original roof may have been a shingle roof, and perhaps either wood or slate. As stated on page 157 of the HDC Guidelines, “architectural shingles are designed to mimic traditional roofing materials like slate and timber ..... [and] may serve as an appropriate replacement for ..... slate or timber shingle roofs...” Assuming the original roof was a shingle product, the HDC Guidelines clearly state that the proposed asphalt shingles will mimic the characteristics of such.**
- *Is the new product durable as compared to the historic material in the same environment?* **Yes, in fact significantly more durable according to the Appellants' roof contractor.**

While the Appellants offered this analysis to establish the appropriateness of the proposed substitute material based upon the clear direction in the HDC Guidelines, the document intended to provide an objective basis for making legally defensible decisions, the HDC dismissed this analysis altogether and insisted that the Appellants use a different substitute material, specifically synthetic cedar. To the Appellants' knowledge, no other applicant has ever been required by the HDC to use synthetic cedar roof shingles, and importantly the HDC Guidelines do not expressly identify synthetic cedar as an appropriate substitute material for roof shingles. The HDC Guidelines do expressly identify architectural asphalt shingles as an appropriate substitute material for roof shingles.<sup>11</sup> Having determined that the use of a substitute material was appropriate under the circumstances, and in light of the clear and unambiguous language in the HDC Guidelines stating that architectural asphalt shingles are an appropriate substitute material for roofs that may have historically been comprised of cedar and/or slate shingles, the HDC erred in not approving the proposed product.

Notwithstanding the Appellants citations to the HDC Guidelines during the October 10<sup>th</sup> meeting, the HDC Chair declared that "*asphalt does not mimic the cedar roof*," and went on to say that "*maybe someone thinks they do but they don't*." This assertion directly contradicts the plain and unambiguous language contained within the HDC Guidelines, the objective document that the HDC is *supposed* to follow in its evaluation of applications. The "someone" that believes architectural asphalt shingles do sufficiently mimic cedar shingles is the official governing document endorsed by the Town of Easton (i.e. the HDC Guidelines). While the Chair is certainly entitled to her personal opinions when acting in her capacity as an individual citizen, such subjective personal opinions cannot defensibly be the basis for decisions by the HDC – especially when such personal opinions are directly contradicted by the plain and unambiguous language of the HDC Guidelines.

Because architectural asphalt shingles are expressly listed as an appropriate substitute material under the circumstances, pursuant to both the HDC Guidelines and the well-established approval of that product throughout the District, the HDC clearly erred in denying the Application and should have instead approved the request to replace the modern wood roof with the proposed high quality architectural asphalt shingle roof.

It is worth noting that the Town's Planning Director stated at the meeting that other historic district commissions routinely permit wood roofs to be replaced with architectural asphalt shingles, and specifically cited the historic district commission for the City of Philadelphia, PA - which obviously takes historic preservation very seriously. According to the Planning Director's comments at the October 10<sup>th</sup> meeting, the City of Philadelphia's policy to allow wood roofs in its historic district to be replaced with asphalt shingles is driven in part in an effort to make buildings less susceptible to fire, and because architectural shingles are found to clearly "mimic" the appearance of cedar shingles. These comments by the Town of Easton Planning Director appeared to have been ignored by the HDC entirely.

---

<sup>11</sup> See HDC Guidelines, page 157 Roofing, Shingles; and Appendix B



## **II. The HDC erred by holding the Property to a higher standard relative to other “contributing properties,” in direct contradiction to the plain and unambiguous provisions of the Town Code.**

The Town Code clearly establishes only two (2) distinct standards for evaluating requests to modify buildings within the District, one standard for “contributing” structures and a less stringent standard for “non-contributing” structures.<sup>12</sup> Most of the buildings within the District are “contributing” structures, and importantly nothing in the Code establishes different standards for evaluating “contributing” buildings relative to each other. Notwithstanding the clear fact that the Town Code establishes only one (1) standard for “contributing” structures, the HDC arbitrarily and erroneously created a heightened standard at the meeting and applied it to this particular building.

During the October 10<sup>th</sup> meeting the HDC Chair clearly stated that the Property is being held to a higher standard relative to other contributing properties in the District. The Chair’s comments included the following statements:<sup>13</sup>

- *“Your house is probably one of the most significant homes architecturally in the Town of Easton, and therefore is held to a different standard.”*
- *“Because of the occupants that lived in the house for the last 300 years and the history that goes with that property, I am looking at it in a different category than I would just another house on Goldsborough.”*
- *“Because you are living in a Ferrari, we want it to stay a Ferrari.”*

These comments clearly show that the Chair, and potentially other members of the HDC acting in deference to her leadership position, applied a heightened standard for the Property relative to other “contributing” properties in the District. There is simply no support for this heightened standard in the Code, and therefore the application of such in this instance is arbitrary. The HDC was legally obligated under the circumstances to apply the standard set forth in the Code for a “contributing” property, and was not authorized to come up with a heightened standard to apply to this one particular property – a standard that the Chair readily acknowledged she would not apply to other similarly situated properties and applicants.

The HDC clearly erred in creating out of thin air a heightened standard for this one particular property that is not authorized under the Town Code. The Chair’s comments, and indeed the many recent approvals, clearly demonstrate that the HDC routinely approves the use of such material on similarly situated “contributing” properties” (including “other houses on Goldsborough Street”). While the Property does have a modern wood roof, the HDC readily acknowledged that the existing material is by no means “historic material,” and that it is unclear what the original material may have been. Under these circumstances, both the HDC Guidelines and well-establish precedent support the approval of architectural grade asphalt shingle roof

---

<sup>12</sup> See §601 E. 4 of the Town Code

<sup>13</sup> The video recording of the meeting is available at: <https://eastonmd.gov/129/Agendas-Minutes>

material. Notwithstanding these facts, the HDC arbitrarily and erroneously created and applied an unauthorized standard. That error must be reversed and the Application must be approved.

### **III. The HDC erred in not considering the “economic hardship” identified by the Appellants, as provided for in the Town Code.**

Due to the very significant cost differential between the asphalt roof material and the cedar material (and/or synthetic cedar), the Appellants had asked in the Application for the HDC to consider the economic hardship of replacing the modern wood roof with the much more expensive material. Pursuant to §28-601 E 4 i. ii. (b) of the Town Code, the HDC may approve any request, even if such is adjudged to be otherwise inappropriate, if the HDC determines that the project will “*cause an undue financial hardship*.” Notwithstanding this provision of the Town Code and the reasonable relief and protection that it is intended to provide for applicants, the HDC refused to consider in this instance whether the situation may pose an economic hardship, a clear error by the HDC in light of the request made by the Appellants for such consideration, both in the Application and at the meeting on October 10<sup>th</sup>. While the Appellants maintain that the use of the asphalt shingle material is clearly appropriate under the circumstances, they asked that if the HDC were to determine that the use of the proposed material is inappropriate, that it then consider approving the Application on the basis of an economic hardship. The HDC refused to consider if there may be an economic hardship under the circumstances.

The quotes for the wood shingle material range from \$87,513.00 to \$156,945.00. The price for the architectural grade asphalt shingles is \$22,050.00. The synthetic wood has a comparable cost to real wood. In addition to the much higher installation cost, the warranty of the cedar material is far inferior to the warranty for the asphalt shingles, and the roofing contractors suggested that a wood roof will not last as long as an asphalt shingle roof. Additionally, the wood roof is far more susceptible to fire and poses a legitimate concern for life and safety. The prospect of having to pay 400%+ for a product that is demonstrably inferior is by any reasonable judgment objectively an economic hardship. The HDC erred in not considering this aspect of the Application and the Appellants’ request for consideration on this basis.

### **CONCLUSION**

For any and/or all of the reasons set forth above, the Appellants respectfully request that the Board **REVERSE** the decision by the HDC, and **APPROVE** the Application to replace the existing modern wood roof with a high-quality architectural grade asphalt shingle roof, material that is (i) clearly deemed appropriate under the circumstances based on a plain reading of the HDC Guidelines, and (ii) has become ubiquitous throughout the District and which has been routinely approved by the HDC for other “contributing” structures, including the Bullitt House, the James Neal House (Talbot County Historical Society) and the former Bartlett Pear Inn.



**Town of Easton  
Historic District Motion Worksheet**

**I. Applicant Information.**

Date: 3/28/22 Application #: 2022-00025  
Address: 24 N. Aurora St.

**II. Motion.**

Motion Made by: Mayhew Motion 2<sup>nd</sup> by: Bateman  
Vote: # For: 7 # Against: 0

I move to:

- ☐ Approve the Application as Submitted.
- ☐ Approve the Application with the Modifications listed below. (See Section III).
- ☐ Deny the Application.
- ☒ Continue the Application until \_\_\_\_\_ (decision within 45 days).
- ☒ Table the Application because it is Incomplete.

Because the application does not (does or does not) meet the following criteria (guideline references):

p55 paragraph 1+2

p57 not recommended paragraph 1

**III. Modifications (if necessary).**

The following is a list of modifications agreed to by and between the Easton Historic District and the applicant or his/her agent:

**IV. Compatibility.**

The proposed changes \_\_\_\_\_ (are/are not) compatible with the neighborhood.

*A Certificate of Appropriateness shall lapse upon the expiration of the corresponding Building Permit. For applications that do not require a Building Permit but for which none is issued, this Certificate of Appropriateness shall lapse six (6) months after its issuance. In the event a Building Permit is not required, the Certificate of Appropriateness shall lapse six (6) months from its issuance if substantial work is not underway. For good cause shown, this period may be extended by the Commission.*



# **Historic District Commission MEETING MINUTES**

Monday, March 28, 2022 - 6:00 PM  
Council Chambers, Easton Town Office  
14 S Harrison Street

## **Call to Order**

### **Opening statement given by the Chairman.**

The Commission operates under the authority granted to it by section 701 of the Town of Easton Zoning Ordinance. And, I hereby open the record of the public hearing on cases heard this evening and, in accordance with our legal responsibilities, I enter into the record the following items: notice of the public hearing, adopted design guidelines, resumes of commission members and any consultants used by the Commission, records of any previous meetings, and any letters to the Commission on a case.

The decisions of the HDC may be appealed within 30 days of approval.

### **General Order of the hearing of Applications**

- Introduction of the application by the presiding officer
- Presentation by the applicant or his agent
- Questions by members of the Commission
- Public Comment
- Petitioner Rebuttal
- Discussion/Consideration by the Commission
- Decision motion and statement of Basis for Decision

The applicant may withdraw the application at any time up to when the vote is taken. A Certificate of Appropriateness shall lapse upon the expiration of the corresponding Building Permit. For applications that require a building permit but for which none is issued, this Certificate of Appropriateness shall lapse six (6) months after its issuance. In the event a building permit is not required, the Certificate of Appropriateness shall lapse six (6) months from its issuance if substantial work is not underway. For good cause shown, this period may be extended by the Commission.

I will now entertain a motion to accept the agenda for this evening.

Upon motion by Vice Chair Mayhew seconded by Mr. Sebastian and carried 7-0, the agenda was approved with a change to move Old Business item "Annual Election" to the end of the agenda.

At 05:58 PM, Chair Pezor called the meeting to order.

### **Commission Members Present:**

Chair Kelly Pezor  
Vice Chair Grant Mayhew  
Mr. Kevin Bateman  
Mr. Ernie Demby  
Mr. Bruce Harrington  
Mr. James Sebastian  
Ms. Maria Brophy

### **Staff Present:**

Katie Reedy

### **Old Business**

|                            |                                |
|----------------------------|--------------------------------|
| <b>Application Number:</b> | <b>2021-00562</b>              |
| <b>Location:</b>           | <b>111 S Washington Street</b> |
| <b>Applicant:</b>          | <b>Richard Marks</b>           |
| <b>Request:</b>            | <b>Revision to COA</b>         |

Upon motion by Mr. Bateman seconded by Vice Chair Mayhew and carried 7-0, Application Number:2021-00562 was approved as submitted.

### **Annual Election for Chair and Vice-Chair**

Vote was not conducted at this meeting due to the long agenda and lack of time.

**New Business**

**Application Number:** 2022-00026  
**Location:** 122 S. Harrison Street  
**Applicant:** John and Margaret Brock  
**Request:** Renovation/Addition

John and Margaret Brock were present on behalf of the Renovation/Addition for 122 S. Harrison Street, a **contributing** building in the Historic District.

Upon motion by Vice Chair Mayhew, seconded by Mr. Sebastian and carried 7-0, application 2022-00026 was approved with the following clarifications

- Membrane Roofing will be installed on the 2nd floor addition roof
- All trim will be wood
- New wood shutters will match the existing
- Gutters will be k-style aluminum
- The deck will be an in-kind replacement as needed
- New fencing to match existing
- The new windows will be Marvin Ultimate to match existing
- The door leading to the deck will be the existing wood door or a new wood door.
- The canopy over the door will be metal with wood framing and brackets.

Historic District Guideline References:

Roof: page 55  
Fence: page 32  
Chimney: page 42  
Siding: page 45  
Windows: Pg 51  
Gutters page: 55  
Door: page 48  
Trim: page 45

**Application Number:** 2022-00027  
**Location:** 11 S Washington Street  
**Applicant:** Peter Dietz Construction  
**Request:** Sign

Peter Pietz was present on behalf of the sign for 11 S Washington Street, a **contributing** building in the Historic District.

Upon motion by Mr. Sebastian second by Ms. Brophy and carried 7-0, application 2022-00027 was approved.

Historic District Guideline References:

Signs: page 68 paragraphs 1 and 2

**Application Number:** 2022-00028  
**Location:** 24 South Aurora Street  
**Applicant:** Vonette West and Nathaniel Rick West  
**Request:** Demolition

Vonette West and Nathaniel Rick West were not present on behalf of the possible demolition for 24 South Aurora Street, a **contributing** building in the Historic District.

Upon motion by Mr. Demby second by Mr. Bateman and carried 7-0, **2022-00028** was tabled until such time the applicant can be present.

**Application Number:** 2022-00025  
**Location:** 24 N Aurora Street  
**Applicant:** Mid Shore Exteriors  
**Request:** Replace existing wood shingle roof with new asphalt shingles

John Ryan, was present on behalf of the changing in roofing material request for 24 N Aurora Street, a **contributing** building in the Historic District.

It was discussed that the request to change the roofing from cedar shingles to asphalt shingles was not appropriate for this National Registry building. The Historic District Guidelines on page 57 state it is not appropriate to replace sloping roof materials with materials that significantly alter the appearance of the roof. The applicant indicated that he had only reached out to one roofing company. The commission requested that he contact additional roofers and conduct additional research.

Upon motion by Vice Chair Mayhew, seconded by Mr. Bateman and carried 7-0, was tabled pending further information from the applicant.

Historic District Guideline References:  
Roof: page 55 paragraphs 1 and 2, and page 57

**Application Number:** 2022-000633  
**Location:** 26 South Aurora Street  
**Applicant:** Jerry Barrow, Barrow and Sons LLC  
**Request:** Replacement Windows

Mr. Jerry Barrow was present on behalf of the replacement windows for 26 S. Aurora Street, a **non-contributing** building in the Historic District.

It was discussed that the proposed vinyl windows are not appropriate for the Historic District. The Historic District Commission indicated that they would follow up with Jim Bent of the Affordable Housing trust regarding a path forward for this Affordable Housing grant project.

Upon motion by Vice Chair Mayhew, seconded by Mr. Sebastian and carried unanimously, was tabled pending additional information from the applicant.

Historic District Guideline References:  
page 51 paragraphs 2 and 3

**Application Number:** 2023-00023  
**Location:** 35 S Locust Street  
**Applicant:** Habitat for Humanity  
**Request:** New Single Family Dwelling

Jennifer McCann and Wayne Suggs were present on behalf of the new single family dwelling for 35 S Locust Street, an empty lot in the Historic District.

It was discussed that the following items would need to be clarified in the application.

- The sliding will need to be smooth side out
- The applicant will need to provide a sample of the window material, as this material has not yet been approved in the Historic District.
- The fascia and trim will not be aluminum. 5/4 Azek board is an option for trim.
- applicant to provide plans and material list for the proposed shed.

Upon motion by Vice Chair Mayhew, seconded by Mr. Bateman and carried 7-0, was tabled pending additional information.

**Application Number:** 2022-00024  
**Location:** 40 S. Locust Street  
**Applicant:** Habitat for Humanity  
**Request:** New Single Family Dwelling

Jennifer McCann and Wayne Suggs were present on behalf of the new single family dwelling for 40 S Locust Street, an empty lot in the Historic District.

It was discussed that the following items would need to be clarified in the application.

- The sliding will need to be smooth side out
- The applicant will need to provide a sample of the window material, as this material has not yet been approved in the Historic District.

- The fascia and trim will not be aluminum. 5/4 Azek board is an option for trim.
- applicant to provide plans and material list for the proposed shed.

Upon motion by Mr. Demby, seconded by Mr. Harrington and carried 7-0, was tabled pending additional information.

**Application Number:** 2022-000632  
**Location:** 119 S. Locust Lane  
**Applicant:** Habitat for Humanity, Wayne Suggs  
**Request:** New Single Family Dwelling

Jennifer McCann and Wayne Suggs were present on behalf of the new single family dwelling for 119 S Locust Street, an empty lot in the Historic District.

It was discussed that the following items would need to be clarified in the application.

- The sliding will need to be smooth side out
- The applicant will need to provide a sample of the window material, as this material has not yet been approved in the Historic District.
- The fascia and trim will not be aluminum. 5/4 Azek board is an option for trim.
- applicant to provide plans and material list for the proposed shed.

Upon motion by Mr. Bateman, seconded by Mr. Harrington and carried 7-0, was tabled pending additional information.

**Application Number:** 2022-000631  
**Location:** 108 S. Locust Lane  
**Applicant:** Habitat for Humanity, Wayne Suggs  
**Request:** New Single Family Dwelling

Jennifer McCann and Wayne Suggs were present on behalf of the new single family dwelling for 108 S Locust Street, an empty lot in the Historic District.

It was discussed that the following items would need to be clarified in the application.

- The sliding will need to be smooth side out
- The applicant will need to provide a sample of the window material, as this material has not yet been approved in the Historic District.
- The fascia and trim will not be aluminum. 5/4 Azek board is an option for trim.
- applicant to provide plans and material list for the proposed shed.

Upon motion by Ms. Brophy, seconded by Mr. Harrington and carried 7-0, was tabled pending additional information.

**Application Number:** 2022-000630  
**Location:** 310 South Street  
**Applicant:** Habitat for Humanity, Wayne Suggs  
**Request:** New Single Family Dwelling

Jennifer McCann and Wayne Suggs were present on behalf of the new single family dwelling for 310 South Street, an empty lot in the Historic District.

It was discussed that the following items would need to be clarified in the application.

- The sliding will need to be smooth side out
- The applicant will need to provide a sample of the window material, as this material has not yet been approved in the Historic District.
- The fascia and trim will not be aluminum. 5/4 Azek board is an option for trim.
- applicant to provide plans and material list for the proposed shed.

Upon motion by Mr. Demby, seconded by Mr. Harrington and carried 7-0, was tabled pending additional information.

**Discussion Item**

None.

### **Approval of Minutes.**

Approval of Minutes from the 2/28/2022 meeting.

Upon motion by Mr. Bateman seconded by Mr. Sebastian and carried 7-0, the Minutes from the 2/28/2022 meeting were approved.

Approval of Minutes from the 3/14/2022 meeting.

Upon motion by Mr. Bateman seconded by Mr. Harrington and carried unanimously, the Minutes from the 3/14/2022 meeting were approved.

### **Administrative Approval**

None.

### **Consent Docket**

None.

### **Adjournment.**

At 7:38, upon motion by Mr. Bateman, seconded by Vice Chair Mayhew and carried 7-0, Chair Pezor adjourned the regularly scheduled meeting.





**Town of Easton**  
Engineering, Planning and Zoning  
14 South Harrison Street, Easton, MD 21601

## Historic District Commission Hearing Application

### Application Type

Renovation ☐ Alteration ☐ Demolition ☐ Other ☒ **Roof Replacement**  
New Construction or Addition ☐ Signage ☐ Fence ☐

### Property Information

Address **24 North Aurora St.**  
Tax Map  Grid  Parcel  Lot

### Owner

Name **John Ryan**  
Mailing Address **24 North Aurora St. Easton, MD 21601**  
Telephone No.  Email

### Applicant or Agent

Name **Mid-Shore Exteriors**  
Mailing Address **29349 W Maple Ave Suite 1 Trappe MD 21673**  
Telephone No. **410-673-7939** Email **info@midshoreexteriors.com**

Name   
Mailing Address   
Telephone No.

Mid-Shore Exteriors  
4401 Grove Rd  
Trappe, MD 21663  
Info@midshoreexteriors.com  
410-673-7939  
MHIC# 88640

Expiration Date

Description of Proposal (include additional sheets, as necessary)

**Roof replacement on house excluding metal roofs. Remove existing wood shakes, felt paper, flashing, drip edge. Install 1/2" CDX plywood. Install breathable GAF synthetic underlayment, Ice/Water Shield, Drip Edge, first starter strip, GAF HDZ Architectural shingles, GAF Hipridge Cap, Solar Fans for ventilation, flash chimneys using copper. Install copper flashing. Clean up + removal of all job debris**

### Specific Requirements

- The payment of fees is due at the time of application submittal. As of July 1, 2018, the fees are as follows: Commercial - \$200, Residential - \$75, Signs - \$75
- The application submitted shall include 7 hard copies plus 1 digital.
- Disclose any easements or deed restrictions pertaining to the property and any improvements including the details of said easements or restrictions.
- Disclose any tax credits and or grants being considered for the project.

**The Historic District Commission (HDC) reserves the right to request reasonable additional information or design drawings that further clarify proposals. In cases where professional**

*design services are warranted, the HDC may require the applicant to retain a licensed design consultant. If the applicant or their designee is not present for the scheduled the scheduled agenda item.*

*Any modifications during review shall warrant an updated application.*

*I hereby certify that I have reviewed the Easton Historic District Guidelines as published correction prior to processing.*

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent

For Office Use Only

|                                                                                            |  |                        |  |
|--------------------------------------------------------------------------------------------|--|------------------------|--|
| Application Date                                                                           |  | HDC Meeting Date       |  |
| Application Number                                                                         |  | Notice(s) Published    |  |
| Fee Paid                                                                                   |  | Property Post & Sign # |  |
| Certificate of Approval Issued    Yes <input type="checkbox"/> No <input type="checkbox"/> |  |                        |  |
| Revised 02-2019                                                                            |  |                        |  |

*Julie Howard*  
*2/4/22*  
*Julie Howard of Mid Shore*  
*extens*

## Timberline HDZ® Specs

**ABOUT** ([HTTPS://WWW.GAF.COM/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz))

**SPECS** ([HTTPS://WWW.GAF.COM/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ/SPECIFICATIONS](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz/specifications))

**DOCS**  
PRODUCTS/SI

### SPECIFICATIONS (ALL DIMENSIONS ARE NOMINAL)

|                                     |                                                         |
|-------------------------------------|---------------------------------------------------------|
| <b>AWARDS &amp; RECOGNITION</b>     | Good Housekeeping Rated                                 |
| <b>\$ - \$\$\$\$</b>                | \$\$                                                    |
| <b>DURABILITY &amp; TOUGHNESS</b>   | Advanced Protection Shingle with GAF Dura Grip Adhesive |
| <b>EXPOSURE</b>                     | 5.625" (144 mm)                                         |
| <b>EXTREME WEATHER IMPACT RATED</b> | No                                                      |
| <b>FIRE RATING</b>                  | Highest Rating - Class A                                |
| <b>MATERIAL</b>                     | Fiberglass Asphalt Construction                         |
| <b>WIND WARRANTY</b>                | 130 mph                                                 |
| <b>WIND RATING</b>                  | 130 mph                                                 |
| <b>SHINGLE STYLE</b>                | Wood-Shake Look                                         |
| <b>SHINGLE TYPE</b>                 | Architectural Shingles                                  |
| <b>APPROX. NAILS/SQ</b>             | 256                                                     |

**AWARDS & RECOGNITION:** Good Housekeeping Rated

**\$ - \$\$\$\$:** \$\$

**DURABILITY & TOUGHNESS:** Advanced Protection Shingle with GAF Dura Grip Adhesive

**EXPOSURE:** 5.625" (144 mm)

**EXTREME WEATHER IMPACT RATED:** No

**FIRE RATING:** Highest Rating - Class A

**MATERIAL:** Fiberglass Asphalt Construction

**WIND WARRANTY:** 130 mph

**WIND RATING:** 130 mph

**SHINGLE STYLE:** Wood-Shake Look

## SPECIFICATIONS (ALL DIMENSIONS ARE NOMINAL)

**SHINGLE TYPE:** Architectural Shingles

**APPROX. NAILS/SQ:** 256

## CODES

|                          |                                                         |
|--------------------------|---------------------------------------------------------|
| <b>FBC</b>               | State of Florida Approved                               |
| <b>ICC</b>               | ESR-1475                                                |
| <b>ICC AC438</b>         | ESR-3267                                                |
| <b>MIAMI-DADE COUNTY</b> | Miami-Dade County Product Control Approved              |
| <b>TDI</b>               | Meets requirements of the Texas Department of Insurance |

**FBC:** State of Florida Approved

**ICC :** ESR-1475

**ICC AC438:** ESR-3267

**MIAMI-DADE COUNTY:** Miami-Dade County Product Control Approved

**TDI:** Meets requirements of the Texas Department of Insurance

## TESTING METHODS & APPLICABLE STANDARDS

**TAS 100-95** Yes

**TAS 100-95:** Yes

## ENERGY RATING

**COOL ROOF RATINGS COUNCIL (CRRC)** CRRC-rated (White only)

**MIAMI 21 (FLORIDA BUILDING CODE)** Yes (White only)

**TITLE 24 (CALIFORNIA ENERGY COMMISSION)** Yes (White only)

**COOL ROOF RATINGS COUNCIL (CRRC):** CRRC-rated (White only)

**MIAMI 21 (FLORIDA BUILDING CODE):** Yes (White only)

**TITLE 24 (CALIFORNIA ENERGY COMMISSION):** Yes (White only)

## SHIPPING AND PACKAGING

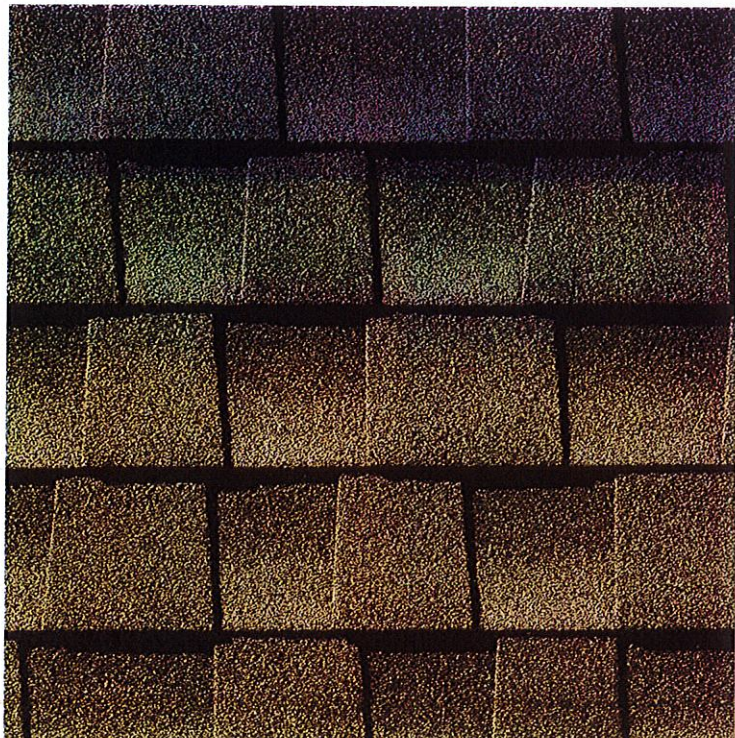
**APPROX. PIECES/SQ** 64

**APPROX. BUNDLES/SQ** 3

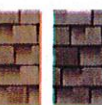
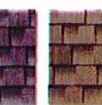
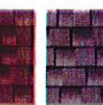
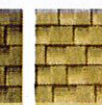
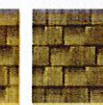
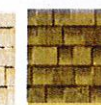
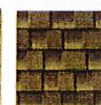


## Timberline HDZ® Shingles

The look people love, now with LayerLock™ Technology and the StainGuard Plus™ Algae Protection Limited Warranty¹



Color/Finish: Charcoal



[SEE ALL COLORS > \(\)](#)

Showing products available near **21601** [CHANGE > \(\)](#)



4.8 (15509) [WRITE A REVIEW](#)

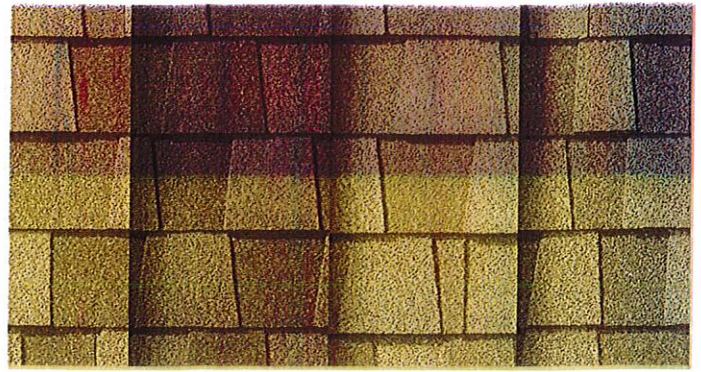
[FIND A CONTRACTOR \(/EN-US/ROOFING-CONTRACTORS/RESIDENTIAL\)](#)



## Discover more Timberline HDZ® shingle colors in the Harvest Blend Color Collection

To make a bold color statement with your new roof, explore the vibrant contrasting hues of the Timberline HDZ® Harvest Blend Color Collection.

LEARN MORE ([/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ-HARVEST-BLEND-COLORS](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz-harvest-blend-colors))

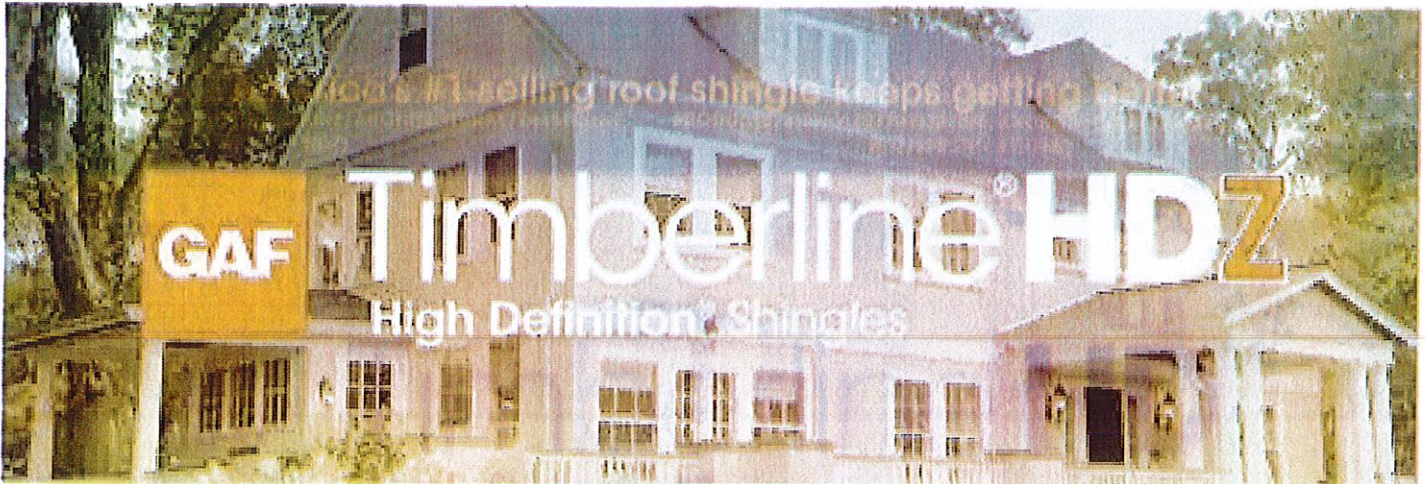


ABOUT ([HTTPS://WWW.GAF.COM/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz))

SPECS ([HTTPS://WWW.GAF.COM/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ/SPECIFICATIONS](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz/specifications))

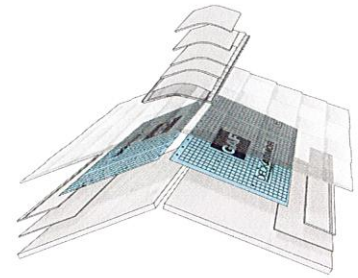
DOCS  
PRODUCTS/SI

America's #1-selling roof shingle keeps getting better





# Deck-Armor™ Premium Breathable Roof Deck Protection



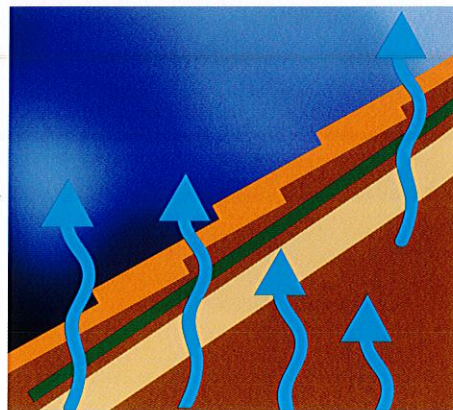
## Benefits:

- **Breathable technology** helps reduce common inside moisture (from cooking, bathing, cleaning, etc.) that can become trapped within your roofing system, causing rot or other costly damage
- **Premium non-asphaltic, polypropylene construction** provides long-lasting protection
- **Specially designed surface** provides enhanced walkability versus conventional felts
- **At least 600% (i.e., 7 times) greater tear strength<sup>1</sup>** and 214% higher nail-pull strength<sup>2</sup> than conventional #30 asphalt felt
- **48" (1.22 m) wide roll** provides 33% more coverage per course than conventional 36" (914 mm) wide asphalt felts
- **Light-blue surface is cooler to work on in hot weather** than conventional black felts
- **Eligible for up to a Lifetime limited warranty** when used on Lifetime Shingle roofs<sup>3</sup> and it's an eligible component of GAF residential enhanced warranties

GAF recommends the use of roof deck protection that helps reduce moisture that can be trapped under the roof's shingles!



**Typical**  
"non-breathable" synthetic underlayments can trap harmful moisture



**Deck-Armor™**  
Premium Breathable Roof Deck Protection allows excess moisture to escape



To learn more about the Lifetime Roofing System visit [gaf.com/Lifetime](https://gaf.com/Lifetime)



## Product Details:

### Nominal Specifications:

For use with asphaltic shingles and may also be used with slate, wood, metal, or tile.<sup>4</sup>

- **Roll size:** 10 squares (1,000 sq. ft. [92.9 m<sup>2</sup>]) (excludes laps)
- **Roll width:** 48" (1.22 m)
- **Roll length:** 250' (76.2 m)
- **Approx. roll weight:** 43 lb. (19.5 kg)
- **UV exposure:** UV-stabilized polypropylene construction resists UV degradation for up to 180 days<sup>5</sup>

### Code Approvals and Standards:

- Meets or exceeds the physical requirements of ASTM D226 and D4869
- Miami-Dade County Product Control approved
- State of Florida approved
- Component of a UL Listed ANSI/UL 790 Class A system when used with UL Class A shingles<sup>6</sup>
- Listed with Texas Department of Insurance as an acceptable alternate roof underlayment

## Deck-Armor™ Roof Deck Protection "out-breathes" typical underlayments

|                                 |                                       |
|---------------------------------|---------------------------------------|
| Deck-Armor™                     | 16 perms*                             |
| #15 felt                        | 6 perms*                              |
| #30 felt                        | 5 perms*                              |
| Typical synthetic underlayments | .05 perms* (virtually non-breathable) |

\* Nominal MVTR perms value as measured by GAF on Mocon unit @ 82°F (28°C) and 50% R.H.

<sup>1</sup> GAF trapezoidal tear strength testing per ASTM D4533

<sup>2</sup> GAF nail pull-through testing per ASTM D3462

<sup>3</sup> Lifetime refers to the length of warranty coverage provided and means as long as the original individual owner(s) of a single-family detached residence (or eligible second owner(s)) owns the property where the qualifying GAF products are installed. For other owners/structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of any GAF Lifetime Shingle and any 3 qualifying GAF Accessories. See *GAF Roofing System Limited Warranty* for complete coverage and restrictions. Visit [gaf.com/LRS](https://gaf.com/LRS) for qualifying GAF products. For installations not eligible for the GAF Roofing System Limited Warranty, see the *GAF Shingle & Accessory Limited Warranty*.

<sup>4</sup> Contact GAF Technical Support at 1-800-766-3411 for acceptable non-asphaltic roofing systems and limited warranty coverage.

<sup>5</sup> 180-day UV resistance refers to standardized testing conducted to ensure the product will not physically degrade when exposed to UV. It is NOT related to withstanding water, snow, or wind. While Deck-Armor™ Premium Breathable Roof Deck Protection is water resistant, it is NOT WATERPROOF. DO NOT USE Deck-Armor™ Premium Breathable Roof Deck Protection as a temporary roof to protect property or possessions.

<sup>6</sup> Refer to UL Online Certification Directory for actual assemblies

Note: Always use plastic cap nails or staples with plastic caps to install Deck-Armor™ Premium Breathable Roof Deck Protection. Do NOT use nails or staples without caps.

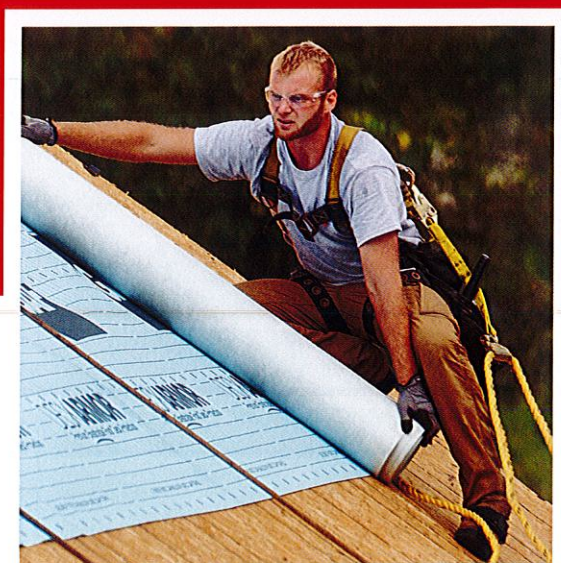
We protect what matters most™





# Deck-Armor™ Premium Breathable Roof Deck Protection

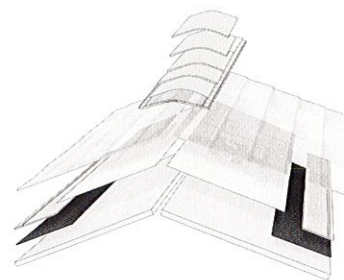
Help protect your home and roof system from damaging moisture with breathable roof deck protection



- Helps reduce inside moisture that can become trapped in the roofing system, which can cause mold, mildew, and expensive structural damage
- Provides a critical layer of extra protection between your shingles and roof deck to resist wind-driven rain (or moisture from other sources) that can cause damage to your roof structure
- Avoids wrinkling and buckling for a better looking finished roof



# WeatherWatch® Mineral-Surfaced Leak Barrier



## Benefits:

- **Excellent protection** at the eaves and rakes, in valleys, and around chimneys and skylights, which guards against leaks caused by wind-driven rain, ice dams, backed-up gutters, and roof settling
- **Self-seals** around fasteners to help avoid leaks
- **Durable** fiberglass-reinforced construction
- **Traditional mineral surfacing** for use with asphalt shingle roof systems
- **Split-back release film** peels off in layers for fast installation
- **Eligible for up to a Lifetime limited warranty** when used on Lifetime Shingle roofs<sup>2</sup> and it's an eligible component of GAF residential enhanced warranties

## In the "North," most building codes require the use of leak barriers at the eaves:<sup>3</sup>

- Protection against ice dams is required by most building codes<sup>1</sup> at the eaves where the January average temperature is 25°F (-4°C) or lower or where there is a possibility of ice forming in the eaves — i.e., areas labeled "North"<sup>3</sup> (see map).
- Ice dams can still occur in areas where the average temperature is above 25°F (-4°C)
- In warmer/Southern climates, leak barriers provide critical protection against wind-driven rain

## Meets or exceeds the following requirements of ASTM D1970

| Property                                                       | Method | Requirement |
|----------------------------------------------------------------|--------|-------------|
| Thickness (mils)                                               | D5147  | Min. 40     |
| Tensile strength MD (lbf/in)                                   | D2523  | Min. 25     |
| Tensile strength CMD (lbf/in)                                  | D2523  | Min. 25     |
| Elongation at break, modified bitumen Portion – MD and CMD (%) | D2523  | Min. 10     |
| Adhesion to plywood at 75°F (24°C) (lbf/ft-width)              | D903   | Min. 12     |
| Adhesion to plywood at 40°F (4°C) (lbf/ft-width)               | D903   | Min. 2      |
| Thermal stability (mm)                                         | D1204  | Max. 3      |
| Low temperature flexibility -20°F (-29°C)                      | D1970  | Pass        |
| Tear resistance MD (lbf)                                       | D4073  | Min. 20     |
| Tear resistance CMD (lbf)                                      | D4073  | Min. 20     |
| Moisture vapor permeance (U.S. perms)                          | E96 A  | Max 0.1     |
| Sealability around nail                                        | D1970  | Pass        |
| Waterproof integrity after low temperature flexibility         | D1970  | Pass        |
| Waterproof integrity of lap seam                               | D1970  | Pass        |

## Product Details:

### Nominal Specifications:

For use with asphalt shingles

#### 1.5 square roll:\*

- 150 ft<sup>2</sup> (13.94 sq. m) per roll<sup>1</sup>
- Roll width: 36" (914 m)
- Roll length: 50' (15.24 m)

#### 2.0 square roll:\*

- 200 ft<sup>2</sup> (18.58 sq. m) per roll<sup>1</sup>
- Roll width: 36" (914 m)
- Roll length: 66.7' (20.33 m)
- **UV exposure:** Up to 60 days, if necessary
- **Shelf life:** Best if used within 1 year from date of manufacture

\*Excludes laps

### Code Approvals:

- Meets or exceeds the performance criteria of ASTM D1970
- Miami-Dade County Product Control Approved
- State of Florida approved
- Component of a UL Listed ANSI/UL 790 Class A system when used with UL Class A shingles<sup>4</sup>
- ICC-ES Evaluation Report (ESR-1322)

<sup>1</sup> Check local building codes for requirements in your area.

<sup>2</sup> Lifetime refers to the length of warranty coverage provided and means as long as the original individual owner(s) of a single-family detached residence (or eligible second owner(s)) owns the property where the qualifying GAF products are installed. For other owners/structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of any GAF Lifetime Shingle and any 3 qualifying GAF Accessories. See GAF Roofing System Limited Warranty for complete coverage and restrictions. Visit [gaf.com/LRS](http://gaf.com/LRS) for qualifying GAF products. For installations not eligible for the GAF Roofing System Limited Warranty, see the GAF Shingle & Accessory Limited Warranty.

<sup>3</sup> Source: International Building Code (IBC) and International Residential Code (IRC)

<sup>4</sup> Refer to UL Online Certification Directory for actual assemblies



To learn more about the Lifetime Roofing System visit **[gaf.com/Lifetime](http://gaf.com/Lifetime)**



We protect what matters most™







# WeatherWatch<sup>®</sup> Mineral-Surfaced Leak Barrier

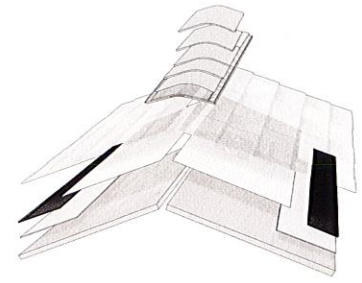
Help protect your home and roof system from  
wind-driven rain and damaging ice dams



- Helps prevent leaks at the most vulnerable areas of your roof
- Reduces the risk of costly repairs due to wall or ceiling staining from leaks
- Meets most code requirements where local building codes require the use of leak barriers<sup>1</sup>



# Pro-Start® Starter Strip Shingles



## Benefits:

- **Properly positioned Dura Grip™ Adhesive** helps to lock down the shingles at the eaves and rakes to reduce the risk of shingle blow-off
- **Pre-perforated design** is easy to use and install, with no cutting on the roof
- **No more wasted time (or material)** cutting your own starter strips
- **At least 50% more coverage** per bundle (vs. typical 3-tab strip shingles)
- **GAF offers increased wind coverage** on many GAF shingles when you use GAF starter strips.<sup>1</sup>
- **It's eligible for a Lifetime limited warranty** when installed on Lifetime Shingle roofs<sup>1</sup> and is an eligible component for GAF residential enhanced warranties.

## Installation:



Tears in half easily along perforation for easy installation



Installs at the eaves and rakes to help prevent shingle blow-off

## Product details:

For use with most standard English and metric-sized asphalt shingles

- Full sheet: 13" x 38" (330 x 965 mm)
- Half sheet: 6.5" x 38" (165 x 965 mm)

### Packaging

- **Bundle count:** 19 full sheets (38 individual pieces)

### Coverage

- Approx. 120.33 lineal feet (36.69 lm) (when split in half)

### Code Approvals:

- State of Florida Approved
- Miami-Dade County Product Control approved<sup>2</sup>
- ICC-ES ESR-1475
- Meets ASTM D3462<sup>3</sup>, D3018
- ASTM D3161 Class F
- UL Listed to ANSI/UL 790 Class A<sup>4</sup>

<sup>1</sup> Lifetime refers to the length of warranty coverage provided and means as long as the original individual owner(s) of a single-family detached residence (or eligible second owner(s)) owns the property where the qualifying GAF products are installed. For other owners/structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of any GAF Lifetime Shingle and any 3 qualifying GAF Accessories. See GAF Roofing System Limited Warranty for complete coverage and restrictions. Visit [gaf.com/LRS](http://gaf.com/LRS) for qualifying GAF products. For installations not eligible for the GAF Roofing System Limited Warranty, see the GAF Shingle & Accessory Limited Warranty.

<sup>2</sup> Excludes Shafter, CA product.

<sup>3</sup> Periodically tested by independent and internal labs to ensure compliance with ASTM D3462 at time of manufacture

<sup>4</sup> Refer to UL Online Certification Directory for actual assemblies



To learn more about the Lifetime Roofing System visit **[gaf.com/Lifetime](http://gaf.com/Lifetime)**



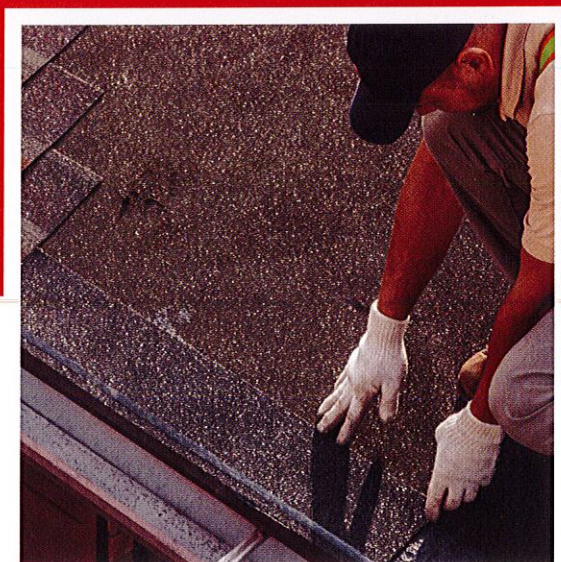
We protect what matters most™





# Pro-Start<sup>®</sup> Starter Strip Shingles

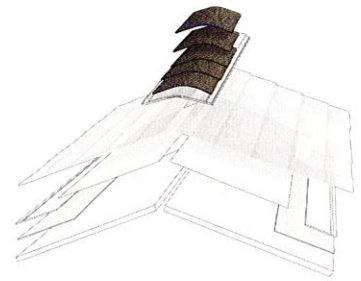
Help prevent shingle blow-off and eliminate waste



- A cost-effective alternative to using cut-up strip shingles as your starter course
- Made with a high-quality, factory-applied adhesive that will tightly lock your shingles in place
- Easy to use and install, with no cutting of starter strips on the roof



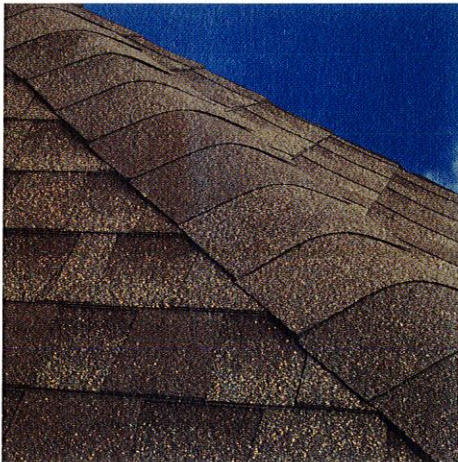
# TimberTex® Premium Ridge Cap Shingles



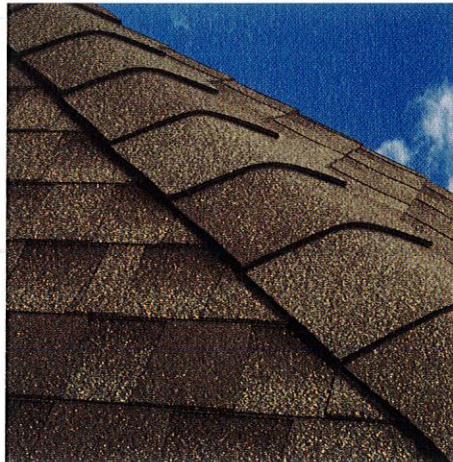
## Benefits:

- **Extra-thick, double-layer design** with large 8" (203 mm) exposure provides excellent dimension
- **Accentuate the beauty** of your newly installed GAF shingle roof
- **Manufactured by GAF to complement your GAF shingles** (unlike cut-up 3-tab shingles)
- **Dura Grip™ Self-Seal Adhesive** seals each piece tightly and helps reduce the risk of shingle blow-off
- **StainGuard® Protection** helps ensure the beauty of your ridge cap shingles against unsightly blue-green algae<sup>2</sup>
- **Eligible for up to a Lifetime limited warranty.**<sup>1</sup> They're also an eligible component for GAF residential system warranties.
- **Fewer pieces to install** (vs. typical cut-up 3-tab shingles) saves time on the roof

## See the difference:



**Before**  
Cut-up 3-tab strip shingles used at the hips and ridges



**After**  
A distinct finishing look that also protects against leaks and shingle blow-offs

## Product Details:

### Nominal Specifications:

- 12" (305 mm) width
- 8" (203 mm) exposure

### Packaging:

- 30 double-layer ridge caps per bundle

### Coverage:

- 20 lineal ft. (6.1 lm) per bundle
- 5 bundles cover 100 lineal ft. (30.5 lm)
- 150 pieces cover 100 lineal ft. (30.5 lm)

### Code Approvals:

- UL Listed to ANSI/UL 790 Class A<sup>3</sup>
- ASTM D3462<sup>4</sup>
- ASTM D3018 Type 1
- ASTM D3161 Class A
- ASTM D3161 Class F<sup>5</sup>
- ICC-ES AC438
- CSA A123.5
- ICC Evaluation Reports ESR-1475 and ESR-3267
- Miami-Dade County Product Control Approved
- Florida Building Code Approved

<sup>1</sup> Lifetime refers to the length of warranty coverage provided and means as long as the original individual owner(s) of a single-family detached residence (or eligible second owner(s)) owns the property where the qualifying GAF products are installed. For other owners/structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of any GAF Lifetime Shingle and any 3 qualifying GAF Accessories. See *GAF Roofing System Limited Warranty* for complete coverage and restrictions. Visit [gaf.com/LRS](http://gaf.com/LRS) for qualifying GAF products. For installations not eligible for the GAF Roofing System Limited Warranty, see the *GAF Shingle & Accessory Limited Warranty*.

<sup>2</sup> StainGuard® algae protection is available only on shingles sold in packages bearing the StainGuard® logo. Products with StainGuard® algae protection are covered by a 10-year limited warranty against blue-green algae discoloration. See *GAF Shingle & Accessory Limited Warranty* for complete coverage and restrictions.

<sup>3</sup> Refer to UL Online Certification Directory for actual assemblies.

<sup>4</sup> Periodically tested by independent and internal labs to ensure compliance with ASTM D3462 at the time of manufacture.

<sup>5</sup> With sealant applied as specified in manufacturer's installation instructions for maximum wind speed coverage.

Note: See [gaf.com/ridgecapavailability](http://gaf.com/ridgecapavailability) for regional availability



To learn more about the Lifetime Roofing System visit [gaf.com/Lifetime](http://gaf.com/Lifetime)



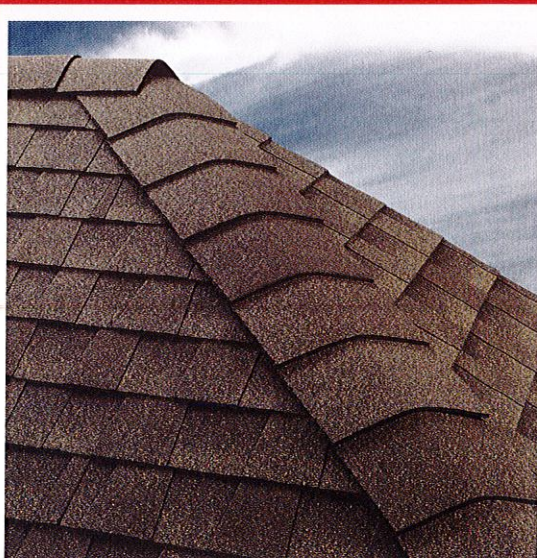
We protect what matters most™





# TimberTex<sup>®</sup> Premium Ridge Cap Shingles

Choose the perfect finishing touch for your new roof  
with premium, distinctive protective ridge cap shingles



- Offer double-layer protection against leaks and blow-offs at the hips and ridges
- Provide a high-quality alternative to cut-up strip shingles
- Provide enhanced limited warranty coverage<sup>1</sup> (vs. using typical 20- or 25-year cut-up 3-tab strip shingles as your ridge cap)



**TimberTex<sup>®</sup>**  
Premium Ridge Cap Shingles



Katie Reedy &lt;kreedy@eastonmd.gov&gt;

---

**Fwd: Agenda for 3/28/2022 Historic District Meeting**

1 message

---

**Katie Reedy** <kreedy@eastonmd.gov>  
To: Joanne Drummer <jdrummer@eastonmd.gov>  
Cc: Shelby Ruf <sruf@eastonmd.gov>

Fri, Apr 8, 2022 at 10:08 AM

Joanne -

Please refund the Historic District Application Fee for Application 2022-00025 (24 N. Aurora Street)  
The applicant has withdrawn the application.

Thanks for your help.  
Katie

Katie S Reedy  
Director of Site Development  
Planning and Zoning  
Town of Easton, MD

410 822 2525

----- Forwarded message -----

From: **Shelby Ruf** <sruf@eastonmd.gov>  
Date: Thu, Apr 7, 2022 at 2:02 PM  
Subject: Fwd: Agenda for 3/28/2022 Historic District Meeting  
To: Katie Reedy <kreedy@eastonmd.gov>

***Shelby E. Ruf***

Permit Tech - Building Inspection Division

Town of Easton

14 South Harrison Street

Easton, MD 21601

Tel: 410-822-2526 Ext. 144

Fax: 410-822-8738

----- Forwarded message -----

From: <info@midshoreexteriors.com>  
Date: Tue, Apr 5, 2022 at 8:22 AM  
Subject: RE: Agenda for 3/28/2022 Historic District Meeting  
To: Shelby Ruf <sruf@eastonmd.gov>

Shelby,



We pulled this permit as the contractor doing the work, we were the applicant not Mr. John Ryan the homeowner. We are pulling the permits not the homeowner. He withdrew the contact with us therefore we are withdrawing our permit request and asking for it to be refunded.

Thank you,

Julie Howden

## **Mid-Shore Exteriors, LLC**

**Roofing / Siding / Gutters**

[www.midshoreexteriors.com](http://www.midshoreexteriors.com)

[info@midshoreexteriors.com](mailto:info@midshoreexteriors.com)

**29349 Maple Ave. Suite 1**

**Trappe, MD 21673**

**410-673-7939**



---

**From:** Shelby Ruf <[sruf@eastonmd.gov](mailto:sruf@eastonmd.gov)>

**Sent:** Monday, April 4, 2022 3:25 PM

**To:** [info@midshoreexteriors.com](mailto:info@midshoreexteriors.com)

**Subject:** Re: Agenda for 3/28/2022 Historic District Meeting

To withdraw this application, we just need something in writing from the applicant stating that they are no longer proceeding with the roof replacement. From there, I can forward to the accounting dept and they can issue a refund.

## ***Shelby E. Ruf***

Permit Tech - Building Inspection Division

Town of Easton

14 South Harrison Street

Easton, MD 21601

Tel: 410-822-2526 Ext. 144

Fax: 410-822-8738

On Mon, Apr 4, 2022 at 3:19 PM Katie Reedy <[kreeedy@eastonmd.gov](mailto:kreeedy@eastonmd.gov)> wrote:

Julie -

I will let the building department respond with their requirements.

For Historic District. Please submit a written request to withdraw the application. Once received I can process a refund request for the fee.

Please know that if the property owner decides to move forward with the roof a new application will need to be submitted.

Normally once you have attended a meeting we do not refund the application fee however due to the circumstances in this situation we will make an exception.

Katie

Katie S Reedy

Director of Site Development

Planning and Zoning

Town of Easton, MD

410 822 2525

On Mon, Apr 4, 2022 at 2:39 PM <[info@midshoreexteriors.com](mailto:info@midshoreexteriors.com)> wrote:

Katie,

Since this project at 24 N Aurora St. roof project has been placed on hold or (tabled) until the pricing of cedar comes down and becomes more readily available. Are we able to get this historical commission fee and building permit fee refunded? Please advise.

Thank you,

Sarah Faulkner

Mid-Shore Exteriors, LLC

410-673-7939

---

**From:** Katie Reedy <[kreedy@eastonmd.gov](mailto:kreedy@eastonmd.gov)>  
**Sent:** Tuesday, March 29, 2022 12:53 PM  
**To:** [info@midshoreexteriors.com](mailto:info@midshoreexteriors.com)  
**Cc:** Planning & Zoning <[planning@eastonmd.gov](mailto:planning@eastonmd.gov)>  
**Subject:** Re: Agenda for 3/28/2022 Historic District Meeting

The application was tabled. The Commission indicated that the proposed material did not meet the requirements of the Historic District Guidelines.

Katie S Reedy

Director of Site Development

Planning and Zoning

Town of Easton, MD

410 822 2525

On Tue, Mar 29, 2022 at 8:42 AM <[info@midshoreexteriors.com](mailto:info@midshoreexteriors.com)> wrote:

Good Morning,

We are just checking to see the results of the historic district commission meeting last night regarding the 24 N Aurora Project. Please advise.



Thank you,

Julie Howden

**Mid-Shore Exteriors, LLC**

**Roofing / Siding / Gutters**

[www.midshoreexteriors.com](http://www.midshoreexteriors.com)

[info@midshoreexteriors.com](mailto:info@midshoreexteriors.com)

**29349 Maple Ave. Suite 1**

**Trappe, MD 21673**

**410-673-7939**



---

**From:** Katie Reedy <[kreedy@eastonmd.gov](mailto:kreedy@eastonmd.gov)>  
**Sent:** Thursday, March 24, 2022 2:08 PM  
**To:** Planning & Zoning <[planning@eastonmd.gov](mailto:planning@eastonmd.gov)>  
**Subject:** Agenda for 3/28/2022 Historic District Meeting

All -

Please find attached the agenda for the 3/28/2022 Town of Easton Historic District Commission Meeting

The meeting will be held at the Easton Town Office 14 S. Harrison Street (2<sup>nd</sup> floor), at **6:00 p.m.** Please plan to attend or have someone represent you at this meeting to answer any questions that the Commission may have.

**Please remember to return the Historic District sign that is posted on the property the night of the meeting,** failure to return the sign may result in a replacement fee.

Should you have any questions, feel free to contact me at 410-822-2525.

Thanks,

Katie

Katie S Reedy

Director of Site Development

Planning and Zoning

Town of Easton, MD

410 822 2525

22-00025  
24 N. Aurora Street  
\$75.00

Town of Easton  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: SMILES Type: OC Drawer: 1  
Date: 2/28/22 01 Receipt no: 7937

| Year             | Number        | Amount   |
|------------------|---------------|----------|
| 2022             | 16985         |          |
| 24 N AURORA ST   |               |          |
| EASTON, MD 21601 |               |          |
| BP               | BP - PAYMENTS |          |
| 2022             | 25            | \$200.00 |
| PZ               | PZ - PAYMENTS |          |
|                  |               | \$75.00  |

Tender detail  
CK CHECK 6221 \$275.00  
Total tendered \$275.00  
Total payment \$275.00

Trans date: 2/28/22 Time: 15:07:31

THANK YOU FOR YOUR PAYMENT.



# Historic District Commission Staff Report

Meeting Date: 10/10/2022

**Staff Contact:** Nicholas Johnson, Planner, [njohnson@eastonmd.gov](mailto:njohnson@eastonmd.gov)

**Property Address:** 24 N Aurora Street

**Application Number:** 2022-00714

**Request:** Roof Replacement, Economic Hardship

**Staff Recommendation:** Approve ☐ Deny ☒ Table ☐

## **Background**

This application is identical to the withdrawn application that was heard by the Historic District Commission (HDC) on April 25<sup>th</sup>, 2022. The applicant is proposing to remove the existing cedar shake off the main roof and replacing it with architectural asphalt shingles. This home is one of the oldest homes in Easton being built in 1800, with several additions in the late 1800's.

In this application, the applicant asserts that since other prominent buildings in the Historic District have asphalt shingle roofs, it is appropriate in this circumstance as well. The applicant has provided a list of other homes that have architectural asphalt shingles. However, these homes all obtained approval to transition to asphalt shingles in the late 1900's.

## **Economic Hardship Clause**

In Article 6 of the zoning ordinance (28-601 E4(i)), the concept of "economic feasibility" is introduced. It states that "if an application is submitted for construction, reconstruction, or **alteration** affecting a site or the exterior of a structure... which the Commission considers to be of unusual importance... the Commission shall attempt to formulate an economically feasible plan with the owner(s)...". In this case, the owner is claiming that it is not economically feasible to replace the existing cedar shake roof in-kind and is proposing architectural asphalt shingles. In order to determine if an economic hardship argument is valid, the applicant must provide documentation to support their claim. This process is outlined in the Commission's Rules of

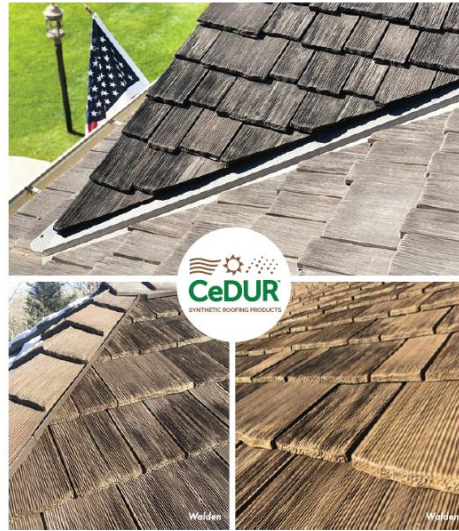
Procedure and states that “**the burden of proof of an economic hardship resides with the applicant.**” Section 15.2 of the Rules of Procedure then gives a list of documentation that the HDC may consider.

The HDC must also determine if it is “satisfied” that the proposed change in roofing material will not materially impact the historic significance of the structure. If the HDC decides that this change will materially impact the structure, the Commission shall “reject the application, filing a copy of its rejection with the zoning inspector.”

### **Staff Recommendation**

**Staff recommends denying this application or approving a more appropriate synthetic shake based on the finding that this change will materially impact the structure.** Historic District Guideline 70b says “where total replacement of all roofing material is required, the new roofing should match the existing material or be a roofing material that is consistent with the building’s architectural style.” Unless the applicant can provide evidence to support their claim of undue economic hardship or come up with a feasible and appropriate alternative, this application should be denied and a copy of the rejection must be filed with the zoning inspector.

Appendix B, Substitute Materials says “it may be appropriate to replace a deteriorated historic shingle roof with new, synthetic shingles, similar in color and texture of the historic material. Guidelines state that shingles may serve as an appropriate replacement for severely deteriorated timber shingle roofs. However, this home is one of the most significant structures in the Historic District. It is one of the oldest homes in the Historic District, is listed on the Maryland Register of Historic Places, and is highly visible from Goldsborough Street entering downtown. For these reason’s architectural asphalt shingles may not be an appropriate replacement for **this home**. If the HDC decides they would allow a synthetic replacement to cedar shakes, there are higher quality shingles available that mimic cedar closer than the proposed material does (some examples are shown below).



\*The colors shown in this brochure may vary from actual colors. CeDUR samples are available at [cedur.com/contact](http://cedur.com/contact)

© CeDUR. All Rights Reserved.  
3590 Himalaya Rd. • Aurora, CO 80011



(720) 974-9200  
[www.cedur.com](http://www.cedur.com)







## MULTI-WIDTH SHAKE

DaVinci Shake gives you everything you love about cedar shake ... without the headaches or the heartaches.



### Empire Niagara Shake



Empire Niagara Shake is a natural-looking  $\frac{3}{4}$ " thick, 22" long, synthetic shake roofing tile produced in an even blend of 7", 8", 9" and 10" widths. The added length allows Empire Niagara Shake to be installed at a 10" exposure, maintaining 2" headlap throughout. An additional 9" exposure option allows for the creation of unique looks using a staggered installation. The Niagara design consumes less raw material, reduces roof load and lowers installation labor by 15%. Unlike other synthetic shake, Empire Niagara Shake is manufactured from 25% post-industrial recycled materials. EcoStar roofing tiles, including the larger Empire Niagara Shake, provide longlasting durability, superior protection against extreme weather conditions and 50 years of warranty coverage. Available in 14 standard colors, Empire Niagara Shake offers endless opportunity to showcase the beauty of natural shake at a fraction of the cost.

#### Empire Niagara Shake - Standard Color Palette



Note: Sample photos, photographs or color swatches may not accurately represent the true color level or variations of color blends that may appear on a roof. Before installation, the tiles or shingles should be laid out and confirmed for consistency to desired color level. If color levels are inconsistent, allow your dealer to provide you with the correct tiles. Colors and specifications subject to change without notice. EcoStar is not liable for color variations or shading. This must be carefully checked for best results. Limited warranties may vary by region. \*Significant property insurance discounts may be available when upgrading or building a roof to protect against hail.

#### Advantages

- The look of traditional cedar shake without extensive maintenance
- Significant property insurance discounts may be available when upgrading or building a roof to protect against hail\*
- Cool colors help reduce energy used by air conditioning units, typically resulting in energy savings between 10-30%\*

#### Architectural Flexibility

- The  $\frac{3}{4}$ " thick tiles create the natural appearance of traditional cedar shake
- Available in 14 standard colors and unlimited custom color options
- Packaged in an even blend of 7", 8", 9" and 10" widths

#### Strength & Durability

- Provides superior durability and protection from extreme weather conditions that include wind, hail and driving rain
- Significant life cycle savings

#### Warranty Options

- 50-Year Limited Material Warranty available
- 50-Year Gold Star Labor & Material Warranty available
- 110 mph Wind Warranty available

#### Environmental Sustainability

- Manufactured with 25% post-industrial recycled materials

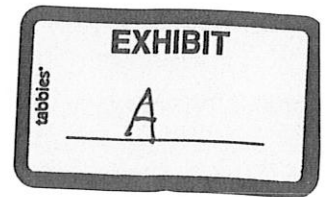
#### Technical Information

- UL listed Class A or C fire resistance (UL 790)
- UL Class 4 impact resistance (UL 2218)
- Wind resistance to 110 mph (ASTM D3161)
- Prolonged UV Exposure (ASTM G155)
- May contribute to LEED® points
- Manufactured in strict adherence to ISO 9001:2015 Quality Management





Town of Easton  
Engineering, Planning and Zoning  
14 South Harrison Street, Easton, MD 21601



## Historic District Commission Hearing Application

### Application Type

Renovation ☐ Alteration ☐ Demolition ☐ Other ☒ *Roof Replacement*  
New Construction or Addition ☐ Signage ☐ Fence ☐

### Property Information

Address   
Tax Map  Grid  Parcel  Lot

### Owner

Name   
Mailing Address   
Telephone No.  Email

### Applicant or Agent

Name   
Mailing Address   
Telephone No.  Email

### Architect - Engineer - Contractor

Name  License No.  Expiration Date   
Mailing Address   
Telephone No.  Email

Description of Proposal (include additional sheets, as necessary)

|               |
|---------------|
| See attached. |
|               |
|               |
|               |
|               |
|               |
|               |

### Specific Requirements

- The payment of fees is due at the time of application submittal. As of July 1, 2018, the fees are as follows: Commercial - \$200, Residential - \$75, Signs - \$75
- The application submitted shall include 7 hard copies plus 1 digital.
- Disclose any easements or deed restrictions pertaining to the property and any improvements including the details of said easements or restrictions.
- Disclose any tax credits and or grants being considered for the project.

*The Historic District Commission (HDC) reserves the right to request reasonable additional information or design drawings that further clarify proposals. In cases where professional*

*design services are warranted, the HDC may require the applicant to retain a licensed design consultant. If the applicant or their designee is not present for the scheduled the scheduled agenda item.*

*Any modifications during review shall warrant an updated application.*

*I hereby certify that I have reviewed the Easton Historic District Guidelines as published correction prior to processing.*

Signature of Applicant or Agent

Date

6/28/22

Printed Name of Applicant or Agent

Zachary A. Smith, Agent

*For Office Use Only*

|                                                                                         |                        |
|-----------------------------------------------------------------------------------------|------------------------|
| Application Date                                                                        | HDC Meeting Date       |
| Application Number                                                                      | Notice(s) Published    |
| Fee Paid                                                                                | Property Post & Sign # |
| Certificate of Approval Issued Yes <input type="checkbox"/> No <input type="checkbox"/> |                        |
| Revised 02-2019                                                                         |                        |



The Applicants request approval to remove existing wood shake roof material and replace it with asphalt shingles (product sheet is included). The existing wood shake material is damaged and/or deteriorated, which has resulted in interior damage to the home – the roof must be replaced as soon as possible to avoid further damage. Asphalt shingles are extremely prevalent in the Historic District, and the Mid-Shore Exterior indicates that it has installed the proposed shingle material on many structures within the District. Accordingly, the Applicants believe the proposed product is appropriate under the circumstances.

Based on direction from the HDC, the Applicants have obtained a second quote to replace the roof with wood shakes, but have discovered that the cost of using that material is more than four (4) times the cost of using asphalt shingles, and the warranty for the wood material is relatively inferior to the warranty for the asphalt shingles. In light of these findings, the Applicants have determined that the wood material is cost prohibitive. To the extent that the Commission may find the proposed asphalt material to be inappropriate, the Applicants respectfully request that the Commission make a finding of “undue financial hardship” given the very significant cost of using wood shakes, and pursuant to the authority set forth in the Town Code, permit the asphalt shingles to be used due to that hardship – notwithstanding any material preferences that would be applicable if the undue financial hardship did not exist.

The Applicants are a young family, they take pride in their home and have invested significantly to improve and maintain it. Having to replace a roof with asphalt shingles in and of self is a significant expense, having to spend more than four (4) times that amount is not economically feasible in this situation. Along with the cost of replacing the roof, the Applicants are also incurring costs associated with repairing interior damage that has resulted from a delay in replacing the roof (delayed based on the initial meeting with HDC). The Applicants must proceed quickly to replace the roof at this time, to hopefully avoid any further damage. Please approve the replacement of the roof using asphalt shingles.

## Timberline HDZ® Specs

ABOUT ([HTTPS://WWW.GAF.COM/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz))

SPECS ([HTTPS://WWW.GAF.COM/EN-US/ROOFING-PRODUCTS/RESIDENTIAL-ROOFING-PRODUCTS/SHINGLES/TIMBERLINE/ARCHITECTURAL/TIMBERLINE-HDZ/SPECIFICATIONS](https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz/specifications))

DOCS  
PRODUCTS/SI

### SPECIFICATIONS (ALL DIMENSIONS ARE NOMINAL)

|                                     |                                                         |
|-------------------------------------|---------------------------------------------------------|
| <b>AWARDS &amp; RECOGNITION</b>     | Good Housekeeping Rated                                 |
| <b>\$ - \$\$\$\$</b>                | \$\$                                                    |
| <b>DURABILITY &amp; TOUGHNESS</b>   | Advanced Protection Shingle with GAF Dura Grip Adhesive |
| <b>EXPOSURE</b>                     | 5.625" (144 mm)                                         |
| <b>EXTREME WEATHER IMPACT RATED</b> | No                                                      |
| <b>FIRE RATING</b>                  | Highest Rating - Class A                                |
| <b>MATERIAL</b>                     | Fiberglass Asphalt Construction                         |
| <b>WIND WARRANTY</b>                | 130 mph                                                 |
| <b>WIND RATING</b>                  | 130 mph                                                 |
| <b>SHINGLE STYLE</b>                | Wood-Shake Look                                         |
| <b>SHINGLE TYPE</b>                 | Architectural Shingles                                  |
| <b>APPROX. NAILS/SQ</b>             | 256                                                     |

**AWARDS & RECOGNITION:** Good Housekeeping Rated

**\$ - \$\$\$\$:** \$\$

**DURABILITY & TOUGHNESS:** Advanced Protection Shingle with GAF Dura Grip Adhesive

**EXPOSURE:** 5.625" (144 mm)

**EXTREME WEATHER IMPACT RATED:** No

**FIRE RATING:** Highest Rating - Class A

**MATERIAL:** Fiberglass Asphalt Construction

**WIND WARRANTY:** 130 mph

**WIND RATING:** 130 mph

**SHINGLE STYLE:** Wood-Shake Look

## SPECIFICATIONS (ALL DIMENSIONS ARE NOMINAL)

**SHINGLE TYPE:** Architectural Shingles

**APPROX. NAILS/SQ:** 256

## CODES

|                          |                                                         |
|--------------------------|---------------------------------------------------------|
| <b>FBC</b>               | State of Florida Approved                               |
| <b>ICC</b>               | ESR-1475                                                |
| <b>ICC AC438</b>         | ESR-3267                                                |
| <b>MIAMI-DADE COUNTY</b> | Miami-Dade County Product Control Approved              |
| <b>TDI</b>               | Meets requirements of the Texas Department of Insurance |

**FBC:** State of Florida Approved

**ICC :** ESR-1475

**ICC AC438:** ESR-3267

**MIAMI-DADE COUNTY:** Miami-Dade County Product Control Approved

**TDI:** Meets requirements of the Texas Department of Insurance

## TESTING METHODS & APPLICABLE STANDARDS

**TAS 100-95** Yes

**TAS 100-95:** Yes

## ENERGY RATING

**COOL ROOF RATINGS COUNCIL (CRRC)** CRRC rated (White only)

**MIAMI 21 (FLORIDA BUILDING CODE)** Yes (White only)

**TITLE 24 (CALIFORNIA ENERGY COMMISSION)** Yes (White only)

**COOL ROOF RATINGS COUNCIL (CRRC):** CRRC-rated (White only)

**MIAMI 21 (FLORIDA BUILDING CODE):** Yes (White only)

**TITLE 24 (CALIFORNIA ENERGY COMMISSION):** Yes (White only)

## SHIPPING AND PACKAGING

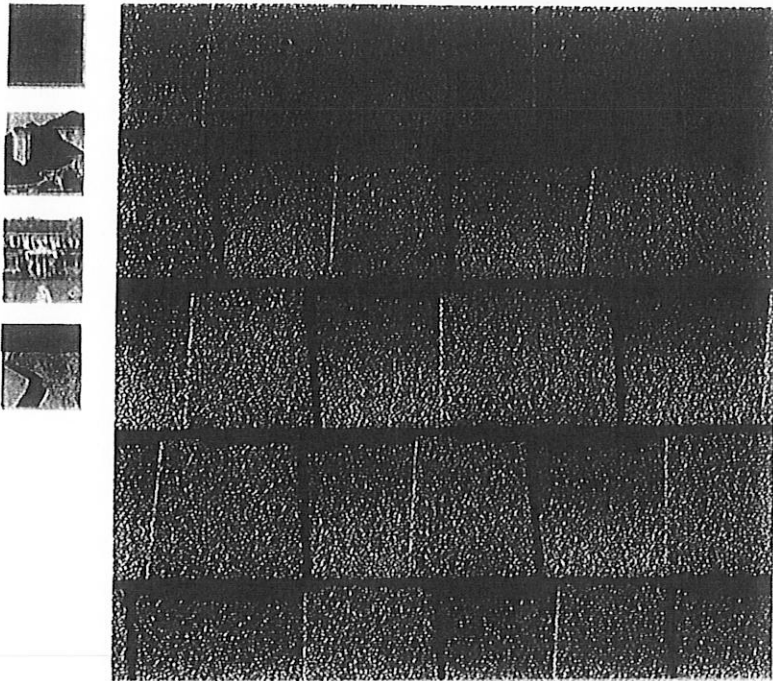
**APPROX. PIECES/SQ** 64

**APPROX. BUNDLES/SQ** 3

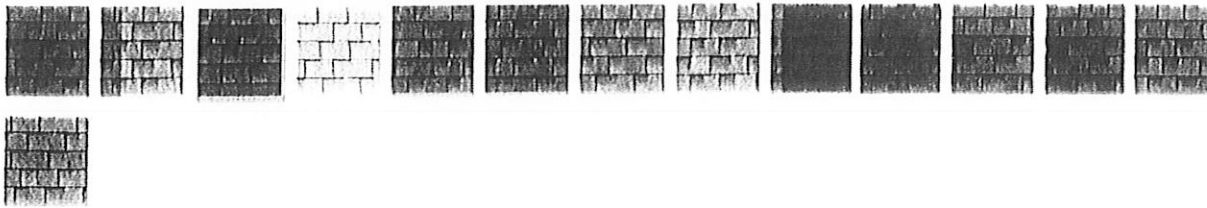


## Timberline HDZ® Shingles

The look people love, now with LayerLock™ Technology and the StainGuard Plus™ Algae Protection Limited Warranty¹



Color/Finish Charcoal



[SEE ALL COLORS > \(\)](#)

Showing products available near **21601** [CHANGE > \(\)](#)

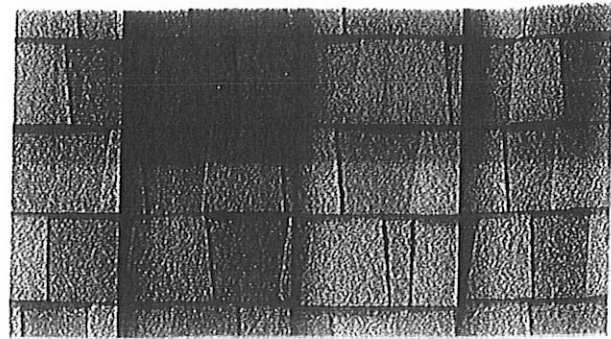
★★★★ 4.8 (15502) [WRITE A REVIEW](#)

[FIND A CONTRACTOR \(/EN-US/ROOFING-CONTRACTORS/RESIDENTIAL\)](#)

## Discover more Timberline HDZ® shingle colors in the Harvest Blend Color Collection

To make a bold color statement with your new roof, explore the vibrant contrasting hues of the Timberline HDZ® Harvest Blend Color Collection

LEARN MORE (<https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz-harvest-blend-colors>)



ABOUT (<https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz>)

SPECS (<https://www.gaf.com/en-us/roofing-products/residential-roofing-products/shingles/timberline/architectural/timberline-hdz/specifications>)

DOCS  
PRODUCTS/SI

America's #1-selling roof shingle keeps getting better

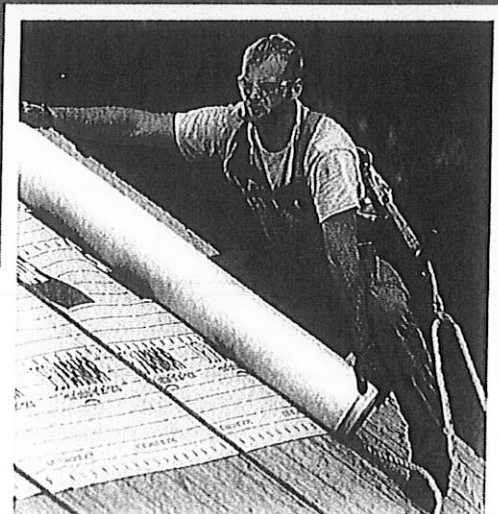


- **Breathable technology helps reduce common inside moisture** (from cooking, bathing, cleaning, etc.) that can become trapped within your roofing system, causing rot or other costly damage
- **Premium non-asphallic, polypropylene construction** provides long-lasting protection
- **Specially designed surface provides enhanced walkability** versus conventional felts
- **At least 600% (i.e., 7 times) greater tear strength<sup>1</sup>** and **214% higher nail-pull strength<sup>2</sup>** than conventional #30 asphalt felt
- **48" (1.22 m) wide roll provides 33% more coverage per course than conventional 36" (914 mm) wide asphalt felts**
- **Light-blue surface is cooler to work on in hot weather** than conventional black felts
- **Eligible for up to a Lifetime limited warranty** when used on Lifetime Shingle roofs<sup>3</sup> and it's an eligible component of GAF residential enhanced warranties

**GAF**

# Deck-Armor™ Premium Breathable Roof Deck Protection

Help protect your home and roof system from damaging moisture with breathable roof deck protection



- Helps reduce inside moisture that can become trapped in the roofing system, which can cause mold, mildew, and expensive structural damage
- Provides a critical layer of extra protection between your shingles and roof deck to resist wind-driven rain (or moisture from other sources) that can cause damage to your roof structure
- Avoids wrinkling and buckling for a better looking finished roof



# WeatherWatch® Mineral-Surfaced Leak Barrier

## Benefits:

- Excellent protection at the eaves and rakes, in valleys, and around chimneys and skylights, which guards against leaks caused by wind-driven rain, ice dams, backed-up gutters, and roof settling
- Self-seals around fasteners to help avoid leaks
- Durable fiberglass-reinforced construction
- Traditional mineral surfacing for use with asphalt shingle roof systems
- Split-back release film peels off in layers for fast installation
- Eligible for up to a Lifetime limited warranty when used on Lifetime Shingle roofs<sup>2</sup> and it's an eligible component of GAF residential enhanced warranties

## In the "North," most building codes require the use of leak barriers at the eaves:<sup>3</sup>

- Protection against ice dams is required by most building codes<sup>1</sup> at the eaves where the January average temperature is 25°F (-4°C) or lower or where there is a possibility of ice forming in the eaves — i.e., areas labeled "North" (see map)
- Ice dams can still occur in areas where the average temperature is above 25°F (-4°C)
- In warmer/Southern climates, leak barriers provide critical protection against wind-driven rain

## Meets or exceeds the following requirements of ASTM D1970

| Property                                                       | Method | Requirement |
|----------------------------------------------------------------|--------|-------------|
| Thickness (mils)                                               | D5147  | Min. 40     |
| Tensile strength MD (lb/in)                                    | D2523  | Min. 25     |
| Tensile strength CMD (lb/in)                                   | D2523  | Min. 25     |
| Elongation at break, modified bitumen Portion - MD and CMD (%) | D2523  | Min. 10     |
| Adhesion to plywood at 75°F (24°C) (lb/ft-width)               | D903   | Min. 12     |
| Adhesion to plywood at 40°F (4°C) (lb/ft-width)                | D903   | Min. 2      |
| Thermal stability (min)                                        | D1204  | Max. 3      |
| Low temperature flexibility -20°F (-29°C)                      | D1970  | Pass        |
| Tear resistance MD (lb)                                        | D4073  | Min. 20     |
| Tear resistance CMD (lb)                                       | D4073  | Min. 20     |
| Moisture vapor permeance (U.S. perms)                          | E96 A  | Max 0.1     |
| Sealability around nail                                        | D1970  | Pass        |
| Waterproof integrity after low temperature flexibility         | D1970  | Pass        |
| Waterproof integrity of lap seam                               | D1970  | Pass        |



To learn more about the Lifetime Roofing System visit [gaf.com/Lifetime](http://gaf.com/Lifetime)



## Product Details:

**Nominal Specifications:**  
For use with asphalt shingles

### 1.5 square roll:<sup>4</sup>

- 150 ft<sup>2</sup> (13.94 sq. m) per roll
- Roll width: 36" (914 m)
- Roll length: 50' (15.24 m)

### 2.0 square roll:<sup>4</sup>

- 200 ft<sup>2</sup> (18.58 sq. m) per roll
- Roll width: 36" (914 m)
- Roll length: 66.7' (20.33 m)
- UV exposure: Up to 60 days, if necessary
- Shelf life: Best if used within 1 year from date of manufacture

<sup>4</sup>Excludes tape

## Code Approvals:

- Meets or exceeds the performance criteria of ASTM D1970
- Miami-Dade County Product Control Approved
- State of Florida approved
- Component of a UL Listed ANSI/UL 790 Class A system when used with UL Class A shingles<sup>5</sup>
- ICC-ES Evaluation Report (ESR-1322)

Check local building codes for requirements regarding Lifetime's use of mineral coverage provided on shingles as part of the roof system. Lifetime's use of mineral coverage is not applicable to single family detached residences (single detached dwellings) consisting of one or more units. For other commercial structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of any GAF Lifetime Shingles and any qualifying GAF Accessories. See GAF Roofing System Limited Warranty for complete coverage details. Visit [gaf.com/LR](http://gaf.com/LR) for qualifying GAF products. For information on the GAF Roofing System Limited Warranty, see the GAF Shingles & Accessories Limited Warranty. Source: International Building Code (IBC) and International Residential Code (IRC). Reprinted with permission. Drawing for informational use only.



© 2020 GAF. 6-20 • 402 • RES01111 • 17" x 26" x 0.002

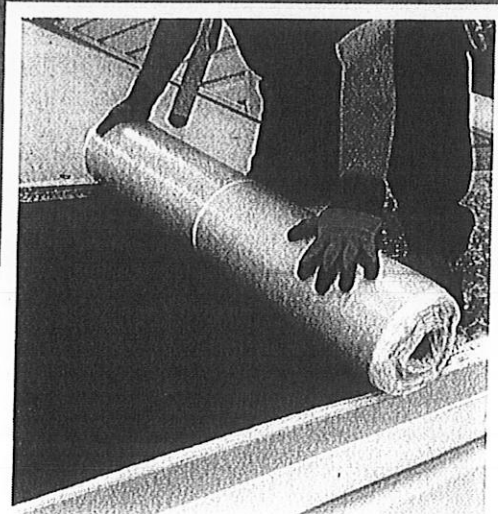
We protect what matters most





# WeatherWatch® Mineral-Surfaced Leak Barrier

Help protect your home and roof system from  
wind-driven rain and damaging ice dams



- Helps prevent leaks at the most vulnerable areas of your roof
- Reduces the risk of costly repairs due to wall or ceiling staining from leaks
- Meets most code requirements where local building codes require the use of leak barriers¹

# Pro-Start® Starter Strip Shingles

## Benefits:

- Properly positioned Dura Grip™ Adhesive helps to lock down the shingles at the eaves and rakes to reduce the risk of shingle blow-off
- Pre-perforated design is easy to use and install, with no cutting on the roof
- No more wasted time (or material) cutting your own starter strips
- At least 50% more coverage per bundle (vs. typical 3-tab strip shingles)
- GAF offers increased wind coverage on many GAF shingles when you use GAF starter strips.<sup>1</sup>
- It's eligible for a Lifetime limited warranty when installed on Lifetime Shingle roofs<sup>2</sup> and is an eligible component for GAF residential enhanced warranties.

## Installation:



Tears in half easily along perforation for easy installation



Installs at the eaves and rakes to help prevent shingle blow-off

## Product details:

For use with most standard English and metric-sized asphalt shingles

- Full sheet: 13' x 38" (330 x 965 mm)
- Half sheet: 6.5' x 38" (165 x 965 mm)

### Packaging

- Bundle count: 19 full sheets (38 individual pieces)

### Coverage

- Approx. 120.33 lineal feet (36.69 lm) (when split in half)

### Code Approvals:

- State of Florida Approved
- Miami-Dade County Product Control approved
- ICC-ES ESR-1475
- Meets ASTM D3462, D3018
- ASTM D3161 Class F
- UL Listed to ANSI/UL 790 Class A<sup>3</sup>

<sup>1</sup> Lifetime refers to the length of warranty coverage provided and means as long as the original individual owners of a single-family detached residence (or eight second owners) own the property where the qualifying GAF products are installed. For other ownership structures, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of only GAF Lifetime Shingles and only 3 qualifying GAF Accessories. See GAF Roofing System Limited Warranty for complete coverage and restrictions. Visit [gaf.com/LPS](http://gaf.com/LPS) for qualifying GAF products. For installations not eligible for the GAF Roofing System Limited Warranty, see the GAF Shingle & Accessory Limited Warranty. Excludes Shingles CA product.

<sup>2</sup> Periodically tested by independent third-party labs to ensure compliance with ASTM D3162 at time of manufacture.

<sup>3</sup> Refer to UL Online Certification Directory for actual assemblies.



To learn more about the Lifetime Roofing System visit [gaf.com/Lifetime](http://gaf.com/Lifetime)



We protect what matters most™



©2020 GAF 3/20 • #105 • RES0615-0 3/24/20 0-220

# Pro-Start® Starter Strip Shingles

Help prevent shingle blow-off and eliminate waste



- A cost-effective alternative to using cut-up strip shingles as your starter course
- Made with a high-quality, factory-applied adhesive that will tightly lock your shingles in place
- Easy to use and install, with no cutting of starter strips on the roof

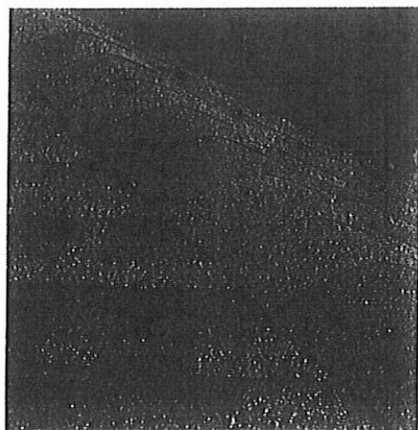


# TimberTex® Premium Ridge Cap Shingles

## Benefits:

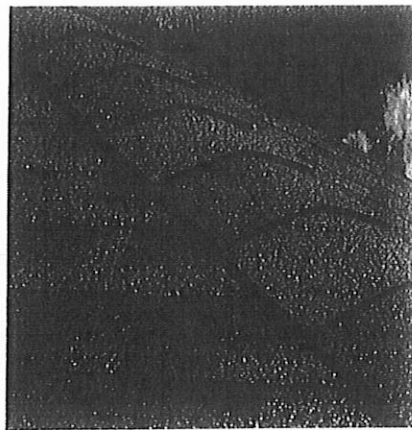
- Extra-thick, double-layer design with large 8" (203 mm) exposure provides excellent dimension
- Accentuate the beauty of your newly installed GAF shingle roof
- Manufactured by GAF to complement your GAF shingles (unlike cut-up 3-tab shingles)
- Dura Grip™ Self-Seal Adhesive seals each piece tightly and helps reduce the risk of shingle blow-off
- StainGuard® Protection helps ensure the beauty of your ridge cap shingles against unsightly blue-green algae<sup>1</sup>
- Eligible for up to a Lifetime limited warranty.<sup>1</sup> They're also an eligible component for GAF residential system warranties
- Fewer pieces to install (vs. typical cut-up 3-tab shingles) saves time on the roof

## See the difference:



### Before

Cut-up 3-tab strip shingles used at the hips and ridges



### After

A distinct finishing look that also protects against leaks and shingle blow-offs



To learn more about the Lifetime Roofing System visit [gaf.com/Lifetime](http://gaf.com/Lifetime)



We protect what matters most



©2012 GAF. W-20 • #125 • RES-0102

## Product Details:

### Nominal Specifications:

- 12" (305 mm) width
- 8" (203 mm) exposure

### Packaging:

- 30 double-layer ridge caps per bundle

### Coverage:

- 20 lineal ft. (6.1 m) per bundle
- 5 bundles cover 100 lineal ft. (30.5 m)
- 150 pieces cover 100 lineal ft. (30.5 m)

### Code Approvals:

- UL Listed to ANSI/UL 790 Class A<sup>1</sup>
- ASIM D3462<sup>1</sup>
- ASIM D3018 Type I
- ASIM D3161 Class A
- ASIM D3161 Class F<sup>1</sup>
- ICC-ES AC438
- CSA A123.5
- ICC Evaluation Reports ESR-1475 and ESR-3267
- Miami Dade County Product Control Approved
- Florida Building Code Approved

<sup>1</sup>Lifetime refers to the length of warranty coverage provided and is based on the original individual owner(s) of a single family detached residence (or eligible second owners) owns the property where the qualifying GAF products are installed. For further details/conditions, Lifetime coverage is not applicable. Lifetime coverage on shingles requires the use of GAF Lifetime Shingles only. Lifetime coverage on shingles and accessories requires the use of only GAF Lifetime Shingles and only 3 qualifying GAF Accessories. See GAF Roofing System Limited Warranty for complete coverage and restrictions. Visit [gaf.com/Life](http://gaf.com/Life) for qualifying GAF products. For installation requirements for the GAF Roofing System Limited Warranty, see the GAF Shingles & Accessories Limited Warranty.

StainGuard® algae protection is available only on the specified packages bearing the StainGuard® logo. Products with StainGuard® algae protection are covered by a 10-year limited warranty against blue-green algae discoloration. See GAF Shingles & Accessories Limited Warranty for complete coverage and restrictions.

Refer to UL Online Catalog for actual assemblies.

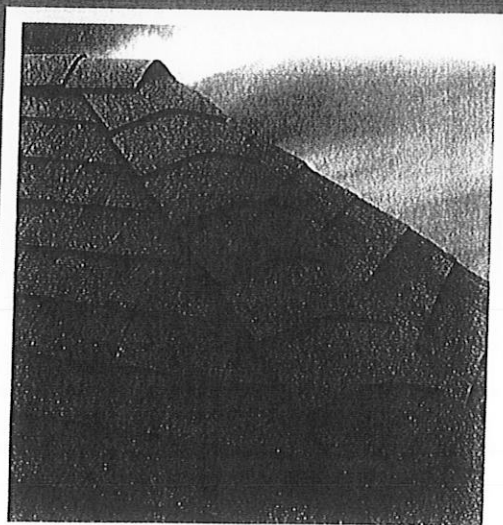
Periodically tested by independent and internal laboratory programs with ASTM D3152 Wind Uplift Method.

Wind resistance applied as specified in manufacturer's instructions for maximum wind speed coverage.

Note: See [gaf.com/ridgecap](http://gaf.com/ridgecap) for regional availability.

# TimberTex® Premium Ridge Cap Shingles

Choose the perfect finishing touch for your new roof  
with premium, distinctive protective ridge cap shingles



- Offer double-layer protection against leaks and blow-offs at the hips and ridges
- Provide a high-quality alternative to cut-up strip shingles
- Provide enhanced limited warranty coverage<sup>1</sup> (vs. using typical 20- or 25-year cut-up 3-tab strip shingles as your ridge cap)

We seek approval from the Historic District Commission to replace the failing cedar roof on our home with a decked, high-grade architectural composite shingle roof due to the cost-prohibitive and inferior material quality of the existing material (cedar). This new roof will help preserve the rest of the asset for decades to come, provide an increase in the life-safety of the building for its occupants and surrounding neighbors, and be consistent with the aesthetic charm of the surrounding neighborhood.

The roof on our home, 24 N. Aurora Street suffers from leaks and frequent rodent intrusion and therefore we find it necessary to replace it. The existing material is cedar shingle attached to furring strips and has no underlying decking. This lack of decking makes for an incomplete rain barrier (evidenced by the fact that daylight may be seen through the roof from inside) causing intermittent leaks. There is one pervasive leak along the north chimney of the 2.5-story section of the house (Figure 1). The lack of decking also makes the roof susceptible to rodent intrusion. In addition to the disease carrying qualities of the rodents' waste in our attic space, they have caused significant property damage including:

- Creating a life safety hazard by gnawing through the shielding of 120V wiring in the attic space (Figures 2-3) which could cause a structure fire.
- Severing a condensate drain (Attachment 1) which leaked into the ceiling space of the guest bedroom causing damage to the drywall, trim, and new window dressings (Figure 4-7). This damage required mold remediation, drywall repair, paint, and the window dressing will have to be replaced as it is now stained.
- Gnawing on the HVAC equipment that we replaced in 2017 at the expense of \$32,500 (Figure 8)

After numerous conversations with roofers, pest control experts, and internet research we have concluded that the best course of action to rid the home of its rodent infestation is to trap out rodents from the property to eliminate animals that have already been inside the attic space, replace the roof with a decked roof, evacuate all existing insulation from the attic space to remove the scent signature, and blow in new cellulose insulation which has a rodent deterring chemical in it.

Replacing the roof with a decked, cedar roof is a cost prohibitive and inferior solution to replacement with a decked high-grade architectural composite shingle. Quotes received from MidShore Exteriors and Ruff Roofers for cedar and architectural shingle roofs:

| Contractor         | Cedar     | Architectural Shingle |
|--------------------|-----------|-----------------------|
| MidShore Exteriors | \$87,513  | \$22,050              |
| Ruff Roofers       | \$156,945 | \$61,182              |

Not only is the upfront cost of cedar a staggering 400% of the cost of architectural shingle, the material quality and the durability of cedar is drastically inferior to that of a high-grade architectural shingle as is evidenced by their respective warranties:

|                       | Workmanship Warranty | Manufacturer's Warranty |
|-----------------------|----------------------|-------------------------|
| MidShore Exteriors    |                      |                         |
| Cedar Roof            | 10 Years             | 25 Years                |
| Architectural Shingle | 25 Years             | 50 Years                |

\* Ruff Roofers did not supply warranty information

To provide a full picture, we must look at the lifecycle cost of these two products:

| 5.61% Inflation based on 10 year average from Producer Price Index by Industry: Roofing Contractors, Nonresidential Building Work (FRED Economic Data) |             |        |      |               |         |       |              |           |      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------|------|---------------|---------|-------|--------------|-----------|------|
| Warranty                                                                                                                                               | 1 year cost | \$     | %    | 26 year cost  | \$      | %     | 51 year cost | \$        | %    |
| Arch. Shingle                                                                                                                                          | 22,050      | -      | 0%   | 22,050        | -       | 0%    | 378,812      | -         | 0%   |
| Cedar                                                                                                                                                  | 87,513      | 65,463 | 297% | 449,264       | 427,214 | 1937% | 1,865,195    | 1,486,384 | 392% |
| Multiple                                                                                                                                               | 4           |        |      | 20            |         |       | 5            |           |      |
| Arch. S. \$/An                                                                                                                                         |             |        |      | 848           |         |       | 7,428        |           |      |
| Cedar \$/An                                                                                                                                            |             |        |      | 17,279        |         |       | 36,572       |           |      |
| Workman's                                                                                                                                              | 1 year cost | \$     | %    | 26 year cost* | \$      | %     | 51 year cost | \$        | %    |
| Arch. Shingle                                                                                                                                          | 22,050      | -      | 0%   | 113,198       | -       | 0%    | 469,959      | -         | 0%   |
| Cedar                                                                                                                                                  | 87,513      | 65,463 | 297% | 760,021       | 646,823 | 571%  | 3,233,916    | 2,763,957 | 588% |
| Multiple                                                                                                                                               | 4           |        |      | 7             |         |       | 7            |           |      |
| Arch. S. \$/An                                                                                                                                         |             |        |      | 4,354         |         |       | 9,215        |           |      |
| Cedar \$/An                                                                                                                                            |             |        |      | 29,232        |         |       | 63,410       |           |      |

(Link 1) \*26 year Workman's cost of cedar includes cost at year 0, 11, 21, and 50% of 31.

If the two product last as long as their manufacturer's warranty, at year 26 the cedar roof will cost \$427,214 more than the Architectural Shingle roof. If the two products last as long as their workmanship warranty, at year 26 the cedar roof will cost \$760,021 more than the Architectural Shingle roof. The full cost of attendance at UMD College Park in-state is currently \$27,807. Inflated forward at the same rate (5.61%), it will cost our family \$480,153 to put both of our children through UMD. The savings of an Architectural Shingle roof would cover 89% or 158% of this cost and we would still have another 25 years of life in our architectural shingle roof. These figures clearly demonstrate that the cedar roofing is cost prohibitive. To the extent that the Commission may find the proposed architectural shingles to be inappropriate, we respectfully request that the Commission make a finding of "undue financial hardship" given the extremely significant additional cost of using wood shakes, and pursuant to the authority set forth in the Town Code, permit the architectural shingles to be used due to that hardship – notwithstanding any material preferences that would be applicable if the undue financial hardship did not exist.

The increased longevity of Architectural Shingles over Cedar is due to the intrinsic qualities of their respective materials. Architectural Shingles are a composite of inert inorganic materials and are therefore more durable against UV rays, algae growth, debris impacts, and (most importantly) have a Class A fire rating. Cedar is a natural material that changes color, deforms, and twists when exposed to UV rays, and is prone to algae growth and fire. Modern cedar shingles are treated with chemicals to slow the growth of algae and provide some fire protection but this treatment degrades over time and requires periodic maintenance. Even at the peak of their flame retardant quality, Cedar shingles do not meet the Class A specifications without being a component of a roofing system (Note that we did not discover the need for a component roof system in order to protect our family with a Class A roof until after quotes were received so the additional costs associated are not reflected in the above quotes).

From Inspectapedia: Encyclopedia of Building & Environmental Construction, Diagnosis, Maintenance & Repair (Link 2):

In sum, Class B shakes or shingles can form part of a Class-A Fire Rate roof provided they are installed over sheathing (spaced or solid) that in turn has been covered with one layer of 1/4 in.



(6.4 mm) thick noncombustible roof board, or with one layer of minimum 72-lb. fiber-glass-based mineral surfaced cap sheet, or with another, equivalent and fire-rated specialty roofing sheet product in order to obtain the Class A fire rating.

Essentially, the cedar roofing material is an aesthetic overlay and the actual fire-retardant qualities come from the inorganic substrate they are placed upon. It should be noted that the roofing system protects the building but does not protect against the spread of fire to nearby structures from burning cedar carried by the wind, placing neighbors at risk. Multiple municipalities in western states have outlawed wood roofs categorically due to their inherent risk (link 3).

As an experiment, we took a cedar shingle from our attic space (Figure 9) and placed it in our firepit with some cardboard, and some 2x4 framing material, with no accelerant. The cedar shingle was engulfed in flame in less than one minute after ignition (Figure 10) and structurally destroyed within a few minutes (Figure 11). This shingle has been protected from the elements so it should represent among the most fire-retardant shingles in our roof.

Talbot County has a requirement for all new residential structures to have sprinkler systems installed because of a tragic fire that occurred during my childhood that resulted in the deaths of several children. It seems that Talbot County correctly takes matters of fire safety very seriously and the increased safety of the Architectural Shingles alone should recommend them as the more appropriate roofing material for this residential dwelling to protect our family. Requiring us to sleep under this inferior roofing material when a Class A product is readily available would be akin to forcing us to buy a car with no airbags while the majority of our neighbors are under no such obligation.

The neighborhood surrounding our home is filled with a mix of beautiful houses. Out of curiosity, we conducted a survey of the residential dwellings bounded by North Street to the north, East Dover to the south, Pennsylvania Avenue to the East and North Hanson Street to the west. In all, we counted 94 homes and considered The Hummingbird Inn (14 N. Aurora St.) and The Bishops House Bed and Breakfast (214 Goldsborough St.) due to their prominence and proximity. Of these 96 buildings, 88 (92%) had Architectural Shingle or standard asphalt shingle roofs. The balance was 5 Metal, 1 Slate Mansard, and 2 Cedar (including ours). Among these 96 buildings, 2 are listed as Contributing District Resources for the founding of the Easton Historic District in Maryland's National Register Properties (Link 4) and both are called out by address in the National Register Form (Link 5) as prominent examples of their architectural style. These properties are 200 Goldsborough Street for Greek Revival, which has an architectural shingle roof, and 14 N. Aurora Street for Queen Anne, which has an asphalt shingle roof. There is no example listed of exemplary Federal style and our home is listed as a "not evaluated" resource. We feel very strongly that if 92% of our neighbors, including two Contributing Resources at the National level, are allowed to have a significantly more affordable, durable, and safe roofing material, we should be afforded the same right.

The Inventory Form For State Historic Sites Survey of our property (Link 6) clearly shows the Maryland Historical Trust's opinion of our home's architecture. The statement of significance is as follows: "Foxley Hall represents a type of freestanding brick dwelling commonly built In the Federal period of Easton architecture. Although little of the Federal character has survived, the building is impressive in its massiveness and interesting because of its many additions..." this statement provides little justification for holding the property to a higher standard than its neighbors. When we spoke to a representative from the Maryland Historic Trust, they assured us that we are under no addition

requirements than any of our neighbors in the Easton Historic District. The Trust document makes several mentions of the roof: there is a description of the dormers on the west slope and their decorations, the gable style of some of the sections of roof and the roofline is referred to as “irregular”. There is no mention of the roofing material anywhere in the document. The document does contain a photograph of the building (Figure 13), including the west slope of the roof. The roof clearly appears to have neat rows of even shingles with staining coming down from the dormers and the chimneys. These characteristics point to an asphalt shingle roof, not a cedar roof which would have an irregular appearance and lack of staining. Given the 220+ year history of our home, the current roof is likely one of ten or more roofs to have covered it. While cedar is an historic roof covering, the fact that the current roof on our home is cedar offers little proof that it was the original roofing material. Maintaining a cedar roof on the building would only definitively preserve a decision made sometime between the Historic Trust Survey and now. Changing the roofing material to an architectural shingle roof would not bar any future owners from choosing a more extravagant option, if that is their preference.

Our home is not a museum dedicated to the history of Talbot County like the Talbot Historical Society’s James Neall House which has an Architectural Shingle roof (Figure 13). It is not open to the public, housing multiple foundations like the Bullitt House which has an Architectural Shingle Roof (Figure 14). It is not owned by a local conglomerate with multiple restaurants and other holdings like the Bartlett Pear which has an Architectural Shingle roof (Figure 15). It does not serve as a landing pad for guests who may be seeking historical tourism like the Bishops House, The Hummingbird Inn, or the Tidewater House, all of which have Architectural Shingle roofs (Figures 16-18). It is a family home which we have invested heavily in over the past five years. We started with necessary upgrades to the HVAC system and paid a premium for Indow Window interior storm windows to preserve the exterior beauty of the home. Last fall, we repainted the house with the help of Jamie Merida Design who selected a fresh palate that has resulted in multiple strangers complimenting us on the homes rekindled beauty. We thought that we were done with the projects necessary to preserve the building’s envelope and are extremely disheartened to find that the best course of action is to replace the roof. Please allow us to do so in a safe and affordable manner so that we can finally spend time enjoying the fruits of our investment, making memories with our children.

The section of the Historic District Commission guidelines that pertains to this project is as follows:

Guideline 70 b. Where total replacement of all roofing material is required, the new roofing should match the existing material or be a roofing material that is consistent with the building’s architectural style.

This Guideline appears to have no preference between the existing material or an architecturally consistent material. We believe that the preceding paragraphs have demonstrated beyond a doubt that an architectural shingle is the superior option in all objective measures. The prevalence of architectural shingles on other Federal dwellings within the Easton Historic District, as well as the plethora examples that can be found online support the subjective claim that they are consistent with the building’s architectural style. We therefore respectfully request that the Commission vote in favor of allowing the use of Architectural Shingles to re-roof 24 N. Aurora Street. We feel that black or grey shingles would be most aesthetically appealing but are fully willing to use a brown shingle to maintain the existing palate.

Links:

Link 1: Federal Reserve Economic Data Producer Price Index by Industry: Roofing Contractors, Nonresidential Building Work

<https://fred.stlouisfed.org/series/PCU23816X23816X>

Link 2: Inspectapedia: Encyclopedia of Building & Environmental Construction, Diagnosis, Maintenance & Repair

[https://inspectapedia.com/roof/Wood\\_Roof\\_Fire\\_Coatings.php](https://inspectapedia.com/roof/Wood_Roof_Fire_Coatings.php)

Link 3: Investigatory paper by the Grand Jury of Orange County, CA into the appropriateness of wood roof. Recommendations are to amend building codes to require Class A roofing materials in all re-roofing projects of 50% or more, in all fire zones.

<https://www.ocgrandjury.org/pdfs/woodroofs.pdf>

Link 4: Maryland Historical Trust, Maryland's National Register Properties, Easton Historic District: lists all district resources.

<https://mht.maryland.gov/nr/NRDetail.aspx?NRID=645>

Link 5: National Register of Historic Places Inventory – Nomination Form for Easton Historic District

[https://mht.maryland.gov/secure/medusa/PDF/NR\\_PDFs/NR-643.pdf](https://mht.maryland.gov/secure/medusa/PDF/NR_PDFs/NR-643.pdf)

Link 6: Inventory Form For State Historic Sites Survey for 24 N. Aurora Street

<https://mht.maryland.gov/secure/medusa/PDF/Talbot/T-30.pdf>

Figures:



Figure 1: Water intrusion damage in ceiling and wall plaster due to failing roof

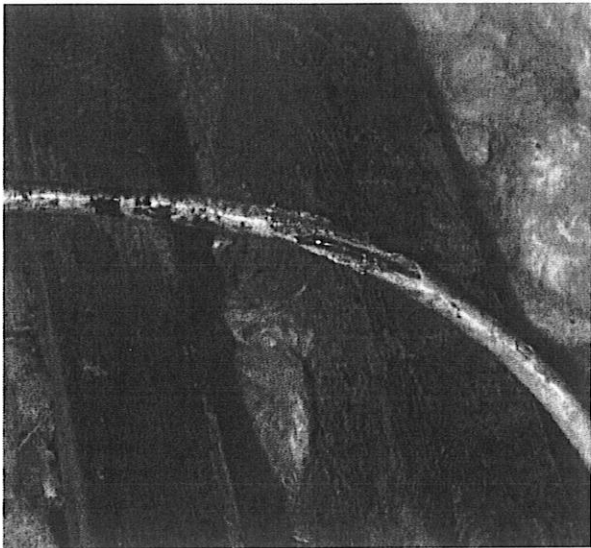


Figure 2: Life safety hazard caused by rodent infestation due to failing roof.



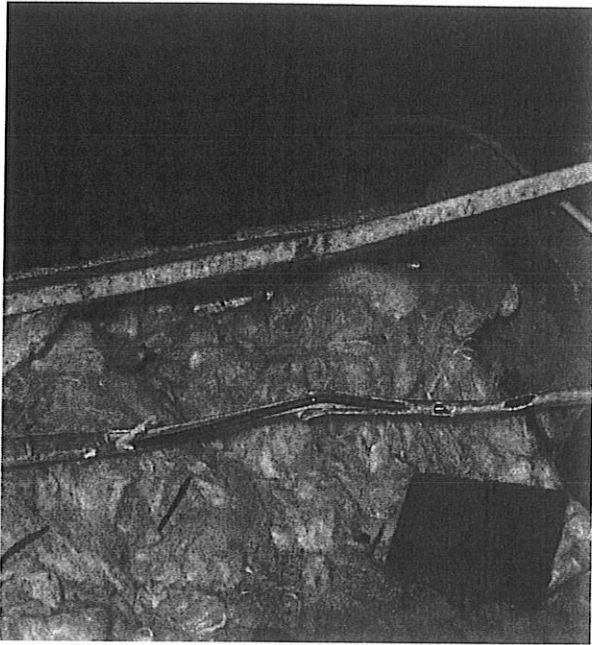


Figure 3: Life safety hazard caused by rodent infestation due to failing roof.

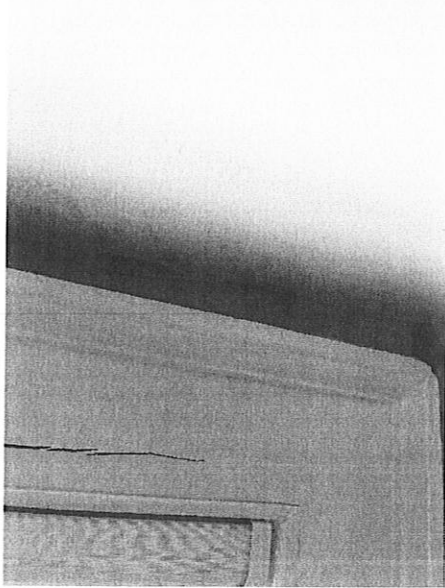


Figure 4: Property damage to drywall and trim caused by rodent-severed condensate drain.

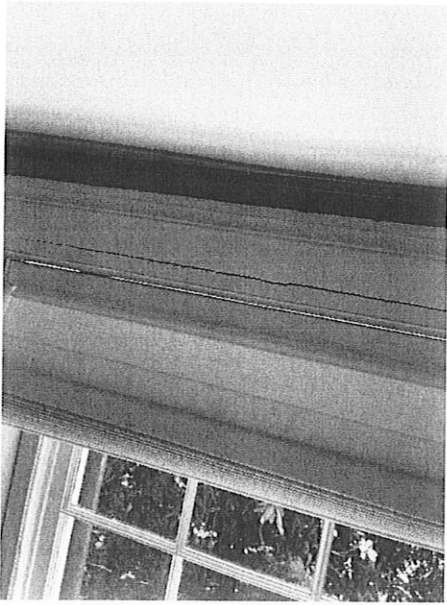


Figure 5: Property damage to window dressing and trim caused by rodent-severed condensate drain.



Figure 6: Dangerous mold growth in ceiling caused by rodent-severed condensate drain.

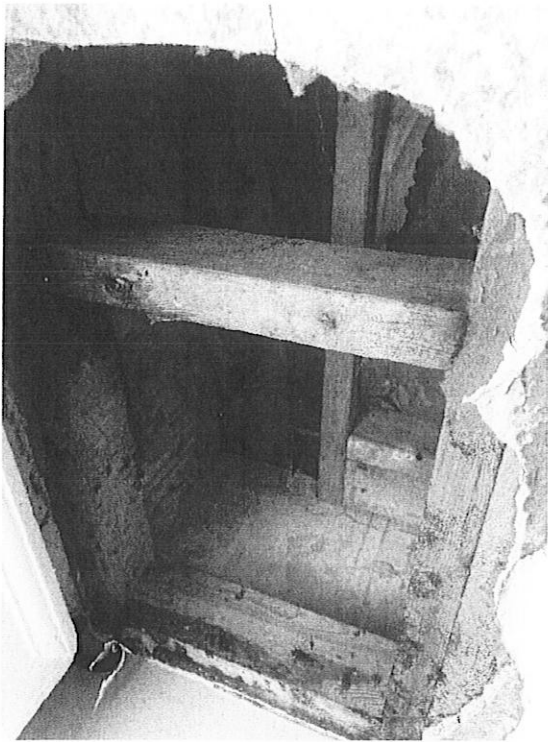


Figure 7: Dangerous mold growth in ceiling caused by rodent-severed condensate drain.



Figure 8: Property damage to new HVAC systems caused by rodent infestation. Note gnawing on equipment as well as destruction of pipe insulation in background.

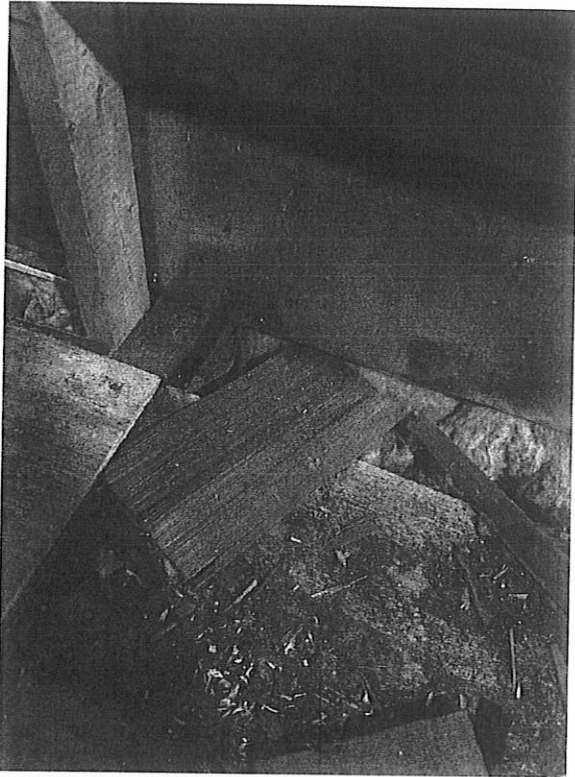


Figure 9: Cedar roofing material found in attic space.



Figure 10: Cedar roofing material engulfed in flames less than one minute after ignition.



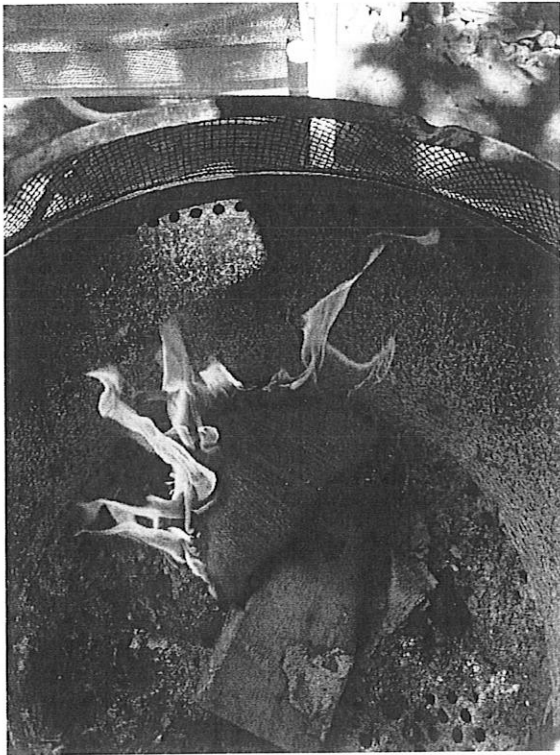


Figure 11: Cedar roofing material structurally consumed by fire within minutes of ignition.

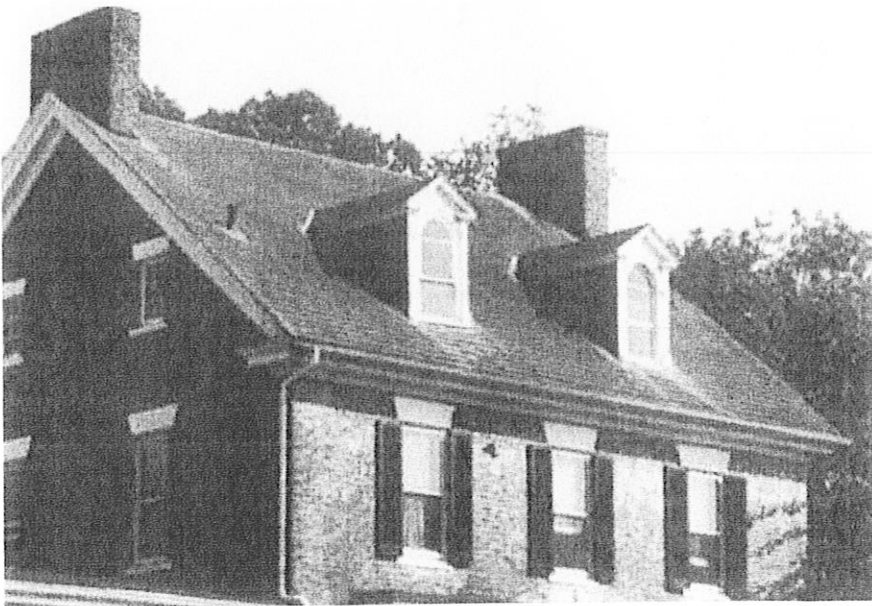


Figure 12: Image of the roof of our home from the Inventory Form For State Historic Sites Survey dated January 25, 1977.

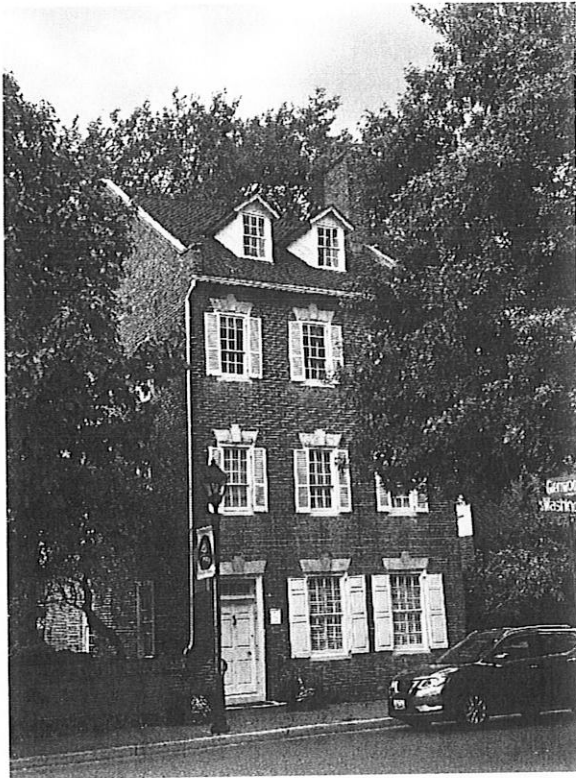


Figure 13: The James Neall House of the Talbot Historical Society with Architectural shingle roof.

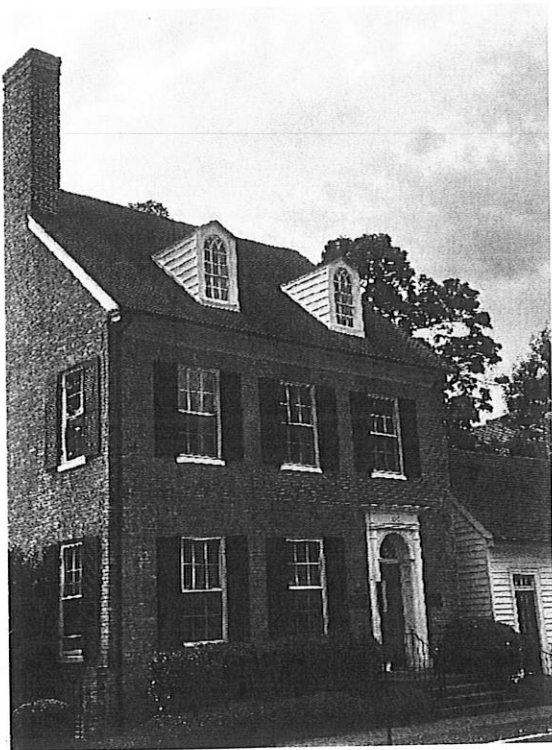


Figure 14: The Midshore Community Foundation's Bullett House with Architectural Shingle Roof.



Figure 15: Bluepoint Hospitality's Bartlett Pear with Architectural Shingle Roof.



Figure 16: Bishop's House Bed and Breakfast with Architectural Shingle Roof.



Figure 17: Hummingbird Inn with Architectural Shingle Roof.



Figure 18: Tidewater Inn's Tidewater House with Architectural Shingle Roof.



Survey of homes:

| Street       | Number | Material | Street     | Number | Material | Street          | Number | Material |
|--------------|--------|----------|------------|--------|----------|-----------------|--------|----------|
| Goldsborough | 200    | Asphalt  | August     | 208    | Asphalt  | North           | 304    | Metal    |
| Goldsborough | 201    | Metal    | August     | 310    | Asphalt  | North           | 306    | Asphalt  |
| Goldsborough | 205    | Asphalt  | August     | 311    | Asphalt  | North           | 308    | Asphalt  |
| Goldsborough | 206    | Metal    | August     | 313    | Asphalt  | North           | 410    | Asphalt  |
| Goldsborough | 208    | Metal    | August     | 316    | Asphalt  | North           | 412    | Asphalt  |
| Goldsborough | 209    | Asphalt  | August     | 317    | Asphalt  | North           | 418    | Asphalt  |
| Goldsborough | 210    | Asphalt  | August     | 318    | Asphalt  | North           | 424    | Metal    |
| Goldsborough | 211    | Asphalt  | August     | 319    | Asphalt  | N. Hanson       | 20     | Asphalt  |
| Goldsborough | 214    | Asphalt  | August     | 320    | Asphalt  | N. Hanson       | 112    | Asphalt  |
| Goldsborough | 301    | Asphalt  | August     | 401    | Asphalt  | N. Thoroughgood | 1      | Asphalt  |
| Goldsborough | 303    | Asphalt  | August     | 402    | Asphalt  | N. Thoroughgood | 3      | Asphalt  |
| Goldsborough | 305    | Asphalt  | August     | 406    | Asphalt  | N. Thoroughgood | 5      | Asphalt  |
| Goldsborough | 307    | Asphalt  | August     | 407    | Asphalt  | N. Thoroughgood | 7      | Asphalt  |
| Goldsborough | 312    | Asphalt  | August     | 408    | Asphalt  | N. Thoroughgood | 9      | Asphalt  |
| Goldsborough | 314    | Asphalt  | August     | 410    | Asphalt  | N. Thoroughgood | 13     | Asphalt  |
| Goldsborough | 318    | Asphalt  | August     | 412    | Asphalt  | E. Dover        | 201    | Asphalt  |
| Goldsborough | 401    | Asphalt  | August     | 413    | Asphalt  | E. Dover        | 203    | Asphalt  |
| Goldsborough | 402    | Asphalt  | August     | 414    | Asphalt  | E. Dover        | 205    | Asphalt  |
| Goldsborough | 405    | Asphalt  | August     | 415    | Asphalt  | E. Dover        | 207    | Asphalt  |
| Goldsborough | 406    | Asphalt  | August     | 416    | Asphalt  | E. Dover        | 217    | Asphalt  |
| Goldsborough | 407    | Slate    | August     | 417    | Asphalt  | E. Dover        | 219    | Asphalt  |
| Goldsborough | 408    | Asphalt  | August     | 418    | Asphalt  | E. Dover        | 221    | Asphalt  |
| Goldsborough | 409    | Asphalt  | August     | 419    | Asphalt  | N. Aurora       | 7      | Asphalt  |
| Goldsborough | 410    | Asphalt  | August     | 420    | Asphalt  | N. Aurora       | 9      | Asphalt  |
| Goldsborough | 411    | Asphalt  | August     | 421    | Asphalt  | N. Aurora       | 11     | Asphalt  |
| Goldsborough | 412    | Asphalt  | August     | 422    | Asphalt  | N. Aurora       | 13     | Asphalt  |
| Goldsborough | 414    | Asphalt  | Locust     | 8      | Asphalt  | N. Aurora       | 14     | Asphalt  |
| Goldsborough | 415    | Asphalt  | Locust     | 10     | Asphalt  | N. Aurora       | 16     | Asphalt  |
| Goldsborough | 416    | Asphalt  | Locust     | 12     | Asphalt  | N. Aurora       | 17     | Asphalt  |
| Goldsborough | 417    | Asphalt  | Locust     | 16     | Cedar    | N. Aurora       | 18     | Asphalt  |
| Pennsylvania | 45     | Asphalt  | N. Higgins | 11     | Asphalt  | N. Aurora       | 20     | Asphalt  |
| August       | 204    | Asphalt  | N. Higgins | 108    | Asphalt  | N. Aurora       | 24     | Cedar    |

Attachment 1: Griffith Energy Invoice showing Rodent damage to condensate line.



410-822-2000  
www.GriffithEnergyServices.com

JONATHAN RYAN  
24 N AURORA ST  
EASTON, MD 21601

## INVOICE

|                |            |
|----------------|------------|
| Customer #:    | 4285466    |
| Payment Terms: | Net 30     |
| Invoice #:     | 17321141   |
| Invoice Date:  | 2022-06-08 |
| Total Due:     | \$0.00     |

Make Check Payable to: Griffith Energy Services, Inc.

Amount Enclosed: \$

Remit To:  
Griffith Energy Services, Inc.  
400 South Aurora St.  
Easton, MD 21601

0004285466001732114100000000000000000009

| Customer Name |             | Delivery/Service Address                   |   | PO #       | Cust #  | Invoice # | Inv Date   |
|---------------|-------------|--------------------------------------------|---|------------|---------|-----------|------------|
| JONATHAN RYAN |             | 24 N AURORA ST - EASTON, MD 21601          |   |            | 4285466 | 17321141  | 2022-06-08 |
| Quantity      | Item Number | Description                                | # | Unit Price |         | TOTAL     |            |
| 1.00          | 028476      | CLEAN/CHECK/ADJUST 1 COOLING SYSTEM        |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 051435      | CLEAN & TIGHTEN ELECTRICAL CONNECTIONS     |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 016314      | ADD FOR USING CLEANER                      |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 025978      | CLEAN & REPAIR PVC DRAIN UP TO 2 FITTINGS  |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 017731      | CLEAN CONDENSATE PUMP * EASY ACCESS        |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 018310      | CLEAN DRAIN PAN 1 TO 5 TONS * EASY ACCESS  |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 018013      | CLEAR BLOCKED DRAIN w/NITROGEN/CO2 * HARD  |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 054335      | CLEAN EVAP COIL * HARD (CHEMICAL IN PLACE) |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 017688      | DRAIN PAN TABLETS w/CLEAN (4)              |   | \$0.0000   |         | \$0.00    |            |
| 1.00          | 017951      | EVAP TREATMENT, BACTERIA/FUNGUS/ODOR (ADD) |   | \$0.0000   |         | \$0.00    |            |
| 6.00          | 8L003       | CONDENSATE PAN TABLETS JAR-200             |   | \$0.0000   |         | \$0.00    |            |
| 3.00          | 1X1303      | LARGE DRAIN CARTRIDGE (EACH)               |   | \$0.0000   |         | \$0.00    |            |

Tank/Equipment: Air Conditioning - master bedroom 2nd floor

For Fuel or Service At:

24 N AURORA ST - EASTON, MD 21601

|                 |        |
|-----------------|--------|
| Sub Total       | \$0.00 |
| Charges         | \$0.00 |
| Tax Total       | \$0.00 |
| ACCOUNT BALANCE | \$0.00 |
| TOTAL DUE       | \$0.00 |

06/08/2022 - Technician: Eric John - Work Performed: ANNUAL MAINTENANCE - cs ac cs treated coil and pan ck blower ck elec advised cust need filter replace 20-20-1 also found condensate tubing chewed in half by rodents/squirrels spraying water out of barb fitting on open drain cut and repaired also advised cust of mildew smell and need to. Need to have exterminator to fix the animal issue. Checked safety works 55/75 flushed and treated pump

Griffith Energy Services, Inc.  
400 South Aurora St  
Easton, MD 21601  
410-822-2000  
www.GriffithEnergyServices.com

Real Property Data Search ( )  
Search Result for TALBOT COUNTY

|                                                                                              |                                                |                                                                  |
|----------------------------------------------------------------------------------------------|------------------------------------------------|------------------------------------------------------------------|
| <a href="#">View Map</a>                                                                     | <a href="#">View GroundRent Redemption</a>     | <a href="#">View GroundRent Registration</a>                     |
| Special Tax Recapture: None                                                                  |                                                |                                                                  |
| Account Identifier:                                                                          | District - 01 Account Number - 017934          |                                                                  |
| <b>Owner Information</b>                                                                     |                                                |                                                                  |
| Owner Name:                                                                                  | RYAN JONATHAN<br>RYAN LAURA                    | Use: RESIDENTIAL<br>Principal Residence: YES                     |
| Mailing Address:                                                                             | 24 N AURORA ST<br>EASTON MD 21601-0000         | Deed Reference: /02536/ 00194                                    |
| <b>Location &amp; Structure Information</b>                                                  |                                                |                                                                  |
| Premises Address:                                                                            | 24 N AURORA ST<br>EASTON 21601-0000            | Legal Description: LOT 4-102X175<br>24 E/S N AURORA ST<br>EASTON |
| Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: | 0103 000EA 1131 1250013.21 0000 2022 Plat Ref: |                                                                  |
| Town: EASTON                                                                                 |                                                |                                                                  |
| Primary Structure Built                                                                      | Above Grade Living Area                        | Finished Basement Area                                           |
| 1800                                                                                         | 6,496 SF                                       | Property Land Area 17,850 SF                                     |
| Stories                                                                                      | Basement Type                                  | Exterior Quality Full/Half Bath Garage                           |
| 2 1/2                                                                                        | YES STANDARD UNIT                              | BRICK/ 7 4 full 1 Detached                                       |
| Last Notice of Major Improvements                                                            |                                                |                                                                  |
| <b>Value Information</b>                                                                     |                                                |                                                                  |
|                                                                                              | Base Value                                     | Value                                                            |
|                                                                                              |                                                | As of                                                            |
|                                                                                              |                                                | 01/01/2022                                                       |
|                                                                                              |                                                | Phase-in Assessments                                             |
|                                                                                              |                                                | As of                                                            |
|                                                                                              |                                                | 07/01/2021                                                       |
|                                                                                              |                                                | As of                                                            |
|                                                                                              |                                                | 07/01/2022                                                       |
| Land:                                                                                        | 173,500                                        | 155,800                                                          |
| Improvements                                                                                 | 1,007,200                                      | 1,041,300                                                        |
| Total:                                                                                       | 1,180,700                                      | 1,197,100                                                        |
| Preferential Land:                                                                           | 0                                              | 0                                                                |
| <b>Transfer Information</b>                                                                  |                                                |                                                                  |
| Seller: RYAN RODERICK N                                                                      | Date: 05/17/2018                               | Price: \$1,100,000                                               |
| Type: NON-ARMS LENGTH OTHER                                                                  | Deed1: /02536/ 00194                           | Deed2:                                                           |
| Seller: HOSFORD HERBERT L JR AND                                                             | Date: 06/11/2015                               | Price: \$1,100,000                                               |
| Type: ARMS LENGTH IMPROVED                                                                   | Deed1: /02269/ 00166                           | Deed2:                                                           |
| Seller: GILMORE, JOHN S II                                                                   | Date: 09/16/2004                               | Price: \$900,000                                                 |
| Type: ARMS LENGTH IMPROVED                                                                   | Deed1: /01276/ 00071                           | Deed2:                                                           |
| <b>Exemption Information</b>                                                                 |                                                |                                                                  |
| Partial Exempt Assessments:                                                                  | Class                                          | 07/01/2021                                                       |
| County:                                                                                      | 000                                            | 0.00                                                             |
| State:                                                                                       | 000                                            | 0.00                                                             |
| Municipal:                                                                                   | 000                                            | 0.00 0.00                                                        |
| Special Tax Recapture: None                                                                  |                                                |                                                                  |
| <b>Homestead Application Information</b>                                                     |                                                |                                                                  |
| Homestead Application Status: No Application                                                 |                                                |                                                                  |
| <b>Homeowners' Tax Credit Application Information</b>                                        |                                                |                                                                  |
| Homeowners' Tax Credit Application Status: No Application                                    |                                                |                                                                  |
| Date:                                                                                        |                                                |                                                                  |

# EASTON HISTORIC DISTRICT SURVEY

PROPERTY #:

Picture:



|                                                                                                                                        |             |                    |                   |                                |              |              |         |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------|-------------------|--------------------------------|--------------|--------------|---------|
| TAX ID                                                                                                                                 |             | ADDRESS            |                   | OWNER NAME                     |              |              |         |
| 2101017934                                                                                                                             |             | 24 N AURORA ST     |                   | HOSFORD, HERBERT L., JR AND    |              |              |         |
| YEAR BUILT                                                                                                                             |             | PHYSICAL CONDITION |                   |                                |              |              |         |
| 1800                                                                                                                                   |             | EXCELLENT          |                   |                                |              |              |         |
| ARCHITECTURAL STYLE                                                                                                                    |             |                    |                   | ADDITION(S)                    |              |              |         |
| FEDERAL                                                                                                                                |             |                    |                   | SEVERAL LATE 19TH C. ADDITIONS |              |              |         |
| NHL DISTRICT                                                                                                                           | NR DISTRICT | NR LISTED          | MEETS NR CRITERIA | 1980 NR RATING                 | MD INVENTORY | CONTRIBUTING | NC CODE |
|                                                                                                                                        |             |                    |                   | A                              | T-30         | Y            |         |
| NOTES                                                                                                                                  |             |                    |                   |                                |              |              |         |
| EXCELLENT AND WELL PRESERVED EXAMPLE OF AN EARLY EASTON ARCHITECTURE AND BUILDING EVOLUTION. BOARD AND BATTER OUTBUILDING CONTRIBUTES. |             |                    |                   |                                |              |              |         |



### Historic Case

The Easton Historic District was nominated for inclusion in the National Register 6/27/1980 based on 127 District Resources, including 23 contributing properties, 2 non-contributing properties, and 102 not evaluated properties. All 127 of these properties received a State Historic Sites Survey performed by the Maryland Historical Trust. These surveys were conducted in accordance with the Standards and Guidelines for Architectural and Historical Investigations in Maryland. The standards set out stringent qualifications that must be met by the surveyors and provide strict instructions for the surveyors to follow as they perform the surveys. In the section pertaining to the detailed description of the property, the surveyors are to provide a description of the historical architectural elements of the building. This includes materials for the foundation, siding or brick bonding, and roofing. If no description of these items is present in the survey, that indicates that the respective materials were not of historical architectural value.

The State Historic Sites Survey for our home (T-30 dated 8/29/67) includes many descriptions of the brickwork, the woodwork, the dormers, and the rooflines but makes no mention of the roofing material. The picture of the home included in the Survey shows that the roofing material was asphalt shingle. Further research at the Talbot Historical Society Archives clearly shows that an asphalt shingle roof was present on the home in the 1980's.

As can be seen in another State Historic Sites Survey (T-16 dated 8/29/67) for the Christ Church Rectory, the historic roofing material is mentioned several times in the document when present. Even when strong context clues are available as to the probable historic roofing material, the State Historic Sites Survey stay silent. This can be well illustrated by looking at the State Historic Sites Survey (T-15 dated 8/29/67) for Christ Church which makes no mention of the roofing material when it was quite likely to have been slate to match the Rectory.

The Easton Historic District Design Guidelines for Residential and Commercial Properties references the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties. Standard #3 is as follows:

Each Property shall 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 architectural elements from other buildings shall not be taken.

Barring any historical account of the property's roofing material that supersedes the State Historic Sites Survey, it must be concluded that the present cedar roof on our home was installed in defiance of the Secretary of the Interior's Standards and is therefore creating a false sense of historical development as it is a conjectural feature.

We respectfully request that the Commission vote in favor of our request to install an architectural shingle roof on our home. This roof will provide a safe, long lasting, and affordable roof for our home and will remedy the false historical narrative currently present. The Historical Society Archive photo indicates either a gray or faded black shingle, we request your permission to use black.

### Economic Hardship

Economic Hardship is not a defined term that the applicant has been able to find. The definition the applicant is going to use is "Any amount of money that a citizen would be required to spend above and beyond the cost of a reasonable alternative if the regulation in question did not exist."

On face value, there would be \$58k or \$62k in economic hardship if required to use synthetic cedar or natural cedar, respectively.

Assuming the applicant does not have cash on hand to finance these options, a home equity loan would have to be used. The Home Equity rate for Shore United Bank is currently 5.84% with a 15-year term. The monthly payments for these loans are \$195, \$679, and \$713 for the architectural shingle, synthetic cedar, and natural cedar, respectively. Over the life of these loans, the total cost to the applicant would be \$35k, \$122k, and \$128k, respectively. So, after financing there would be \$87k or \$93k in economic hardship if required to use synthetic cedar or natural cedar, respectively.

In order to properly compare the two synthetic products with the natural product, the lifecycles of the products must be considered. Both synthetic products have a 50-year lifespan but the natural product has a 25-year lifespan. Using inflation information for roofing materials from the Federal Reserve (5.61%) the replacement cost for the natural cedar roof at year 26 is estimated to be \$334k. Considering both financing and lifecycle, there would be \$87k or \$427k in economic hardship if required to use synthetic cedar or natural cedar, respectively.

If it can be argued that the applicant could reasonably afford \$679/mo for 15 years to pay for a synthetic cedar roof, we must also look at the opportunity cost as compared to an architectural shingle roof. Payments of \$679/mo would sunset the architectural shingle loan in 38 months at a total cost of \$26k. for the remaining 142 months, the applicant could invest those payments in a diversified portfolio. Using the 10-year average return of the S+P 500 (14.7%) and the Vanguard Total Bond Market Index Fund (1.3%) blended 70/30 gives a 10.7% return. The ending balance of this portfolio after 15 years would be \$195k. The equal cash flow cost of the synthetic cedar roof is therefore \$316k, creating a \$291k economic hardship on the applicant.

If it can be argued that the applicant could reasonably afford \$713/mo for 15 years to pay for a natural cedar roof, as well as save \$1,114/mo for 25 years to pay for the year 26 roof replacement, we must also look at the opportunity cost as compared to an architectural shingle roof. Payments of \$1,827/mo would sunset the architectural shingle loan in 14 months at a total cost of \$24k. for the remaining 166 months, the applicant could invest those payments in a diversified portfolio. Using the 10-year average return of the S+P 500 (14.7%) and the Vanguard Total Bond Market Index Fund (1.3%) blended 70/30 gives a 10.7% return. The ending balance of this portfolio after 25 years would be \$2.23MM. The equal cash flow cost of the natural cedar roof is therefore \$2.69MM, creating a \$2.67MM economic hardship on the applicant.

As the regulation in question would be the only obstacle to securing an architectural shingle roof for the applicant's home, they respectfully request that the Historic District Commission grant an exception due to Economic Hardship in this case.

|                            | Cost                  |                 |           | Difference      |           | % Difference    |        |
|----------------------------|-----------------------|-----------------|-----------|-----------------|-----------|-----------------|--------|
|                            | Architectural Shingle | Synthetic Cedar | Cedar     | Synthetic Cedar | Cedar     | Synthetic Cedar | Cedar  |
| Initial Cost               | 23,341                | 81,283          | 85,379    | 57,942          | 62,038    | 348%            | 366%   |
| Financing Cost             | 35,091                | 122,203         | 128,361   | 87,112          | 93,270    | 348%            | 366%   |
| Lifecycle Cost @ Year 26   | 35,091                | 122,203         | 462,543   | 87,112          | 427,452   | 348%            | 1318%  |
| Opportunity Cost @ Year 16 | 25,605                | 316,713         |           | 291,108         |           | 1237%           |        |
| Opportunity Cost @ Year 26 | 24,158                |                 | 2,691,979 |                 | 2,667,821 |                 | 11143% |



**Description**

Talbot Historical Society Walking Tour of Easton, Maryland

Foxley Hall

24 North Aurora Street

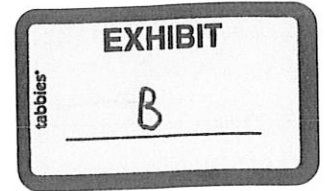
Easton, Maryland

The Federal period house was built from 1794-1798. The original owner was Deborah (Perry) Dickinson. Others who lived there: U.S. Senator John Leeds Kerr (1780-1844) and Oswald Tilghman.

#T-30 in "Where Land and Water Intertwine" by Christopher Weeks. 1984



**Historic District Commission  
MEETING MINUTES**  
Monday, October 10, 2022 - 6:00 PM  
Council Chambers, Easton Town Office  
14 S Harrison Street



**Call to Order**

At 6:00 PM, Chair Pezor called the meeting to order.

**Opening statement given by the Chairman.**

The Commission operates under the authority granted to it by section 701 of the Town of Easton Zoning Ordinance. And, I hereby open the record of the public hearing on cases heard this evening and, in accordance with our legal responsibilities, I enter into the record the following items: notice of the public hearing, adopted design guidelines, resumes of commission members and any consultants used by the Commission, records of any previous meetings, and any letters to the Commission on a case.

The decisions of the HDC may be appealed within 30 days of approval.

**General Order of the hearing of Applications**

- Introduction of the application by the presiding officer
- Presentation by the applicant or his agent
- Questions by members of the Commission
- Public Comment
- Petitioner Rebuttal
- Discussion/Consideration by the Commission
- Decision motion and statement of Basis for Decision

The applicant may withdraw the application at any time up to when the vote is taken. A Certificate of Appropriateness shall lapse upon the expiration of the corresponding Building Permit. For applications that require a building permit but for which none is issued, this Certificate of Appropriateness shall lapse six (6) months after its issuance. In the event a building permit is not required, the Certificate of Appropriateness shall lapse six (6) months from its issuance if substantial work is not underway. For good cause shown, this period may be extended by the Commission.

Chairperson Pezor amended the agenda to add 27 S Harrison Street as old business and an emergency approval for 27 N Hanson and 122 Goldsborough as new business.

I will now entertain a motion to accept the agenda for this evening.

Upon motion by Jim Sebastian, seconded by Maria Brophy and carried 6 - 0, the Agenda was approved.

**Historic District Commission Members Present at Meeting**

Chair Kelly Pezor  
Vice Chair Ernie Demby  
Ms. Maria Brophy  
Mr. James Sebastian  
Mr. Bruce Harrington

Also present were the Town staff members, Nicholas Johnson and Miguel Salinas.

**Old Business**

|                     |                                 |
|---------------------|---------------------------------|
| Application Number: | 2022-689                        |
| Location:           | 117 Port Street                 |
| Applicant:          | The Neighborhood Service Center |
| Request:            | Windows                         |

Jerry Barrow was present on behalf of the Windows for 117 Port Street, a non-contributing building in the Historic District.

It was discussed ...



- A photograph of the existing trim and a cut sheet for the new trim must be provided before changes to the trim and gable ends can be approved.
- The new windows will be Anderson with simulated divided light.
- Wooden windows must remain on the front facade.
- Mr. Sebastian noted that fiberglass windows may be appropriate in this case since it is a non-contributing building.
- Lentil will be PVC

Upon motion by Ms. Brophy, seconded by Mr. Sebastian and carried 5 - 0, application 2022-689 was approved.

Historic District Guideline References:  
90

|                     |                                 |
|---------------------|---------------------------------|
| Application Number: | 2022-688                        |
| Location:           | 120 North Aurora Street         |
| Applicant:          | The Neighborhood Service Center |
| Request:            | Windows                         |

Jerry Barrow was present on behalf of the Windows for 120 North Aurora Street, a contributing building in the Historic District.

It was discussed ...

- This structure, unlike 117 Port Street, is contributing.
- Fibrex material has never been allowed on a contributing structure.
- Mr. Sebastian suggested Anderson 200 series windows might be appropriate for the sides, rear, and second story front of this structure.
- The applicant will get a price for using a clad product.
- Simulated Divided Light windows must be used.

Upon motion by Mr. Sebastian, seconded by Ms. Brophy and carried 5 - 0, application 2022-688 was tabled.

Historic District Guideline References:  
90

|                     |                           |
|---------------------|---------------------------|
| Application Number: | 2022-760                  |
| Location:           | 27 S Harrison Street      |
| Applicant:          | Katherine and Kyle Bounds |
| Request:            | Exterior Alterations      |

Katherine and Kyle Bounds were present on behalf of the Exterior Alterations for 27 S Harrison Street, a contributing building in the Historic District.

It was discussed ...

- James Dove from Maryland Elite Exteriors stated that adding trim would improve the aesthetics and functionality of the windows.
- Chair Pezor stated that all of the windows at street level are consistent.
- If the windows are found to be rotten during construction a revision would be required.
- Mr. Sebastian stated that the existing windows have frames that stand proud and don't require trim.
- The applicant stated that there are windows on the structure that have rotten sills.
- Mr. Sebastian stated that some windows on the building may be more tailored to trim than others.
- It was clarified that the current option is Hardy Plank and in the future, trim may be revisited.

The applicants withdrew their proposed amendments.

#### New Business

|                     |          |
|---------------------|----------|
| Application Number: | 2022-770 |
|---------------------|----------|

**Location:** 229 S. Aurora Street  
**Applicant:** Susan H. Russell  
**Request:** Fence Replacement  
Susan H. Russell was present on behalf of the Fence Replacement for 229 S. Aurora Street, a contributing building in the Historic District.

It was discussed ...

- The new fence would be an increase in height from four feet to six feet and a change in style.

Upon motion by Mr. Sebastian, seconded by Vice Chair Demby and carried 5 - 0, application 2022-770 was approved.

Historic District Guideline References:  
14

**Application Number:** 2022-769  
**Location:** 301 Goldsborough Street  
**Applicant:** Stephen Leocha and Catherine Poe  
**Request:** Roof Replacement  
Stephen Leocha and Catherine Poe were present on behalf of the Roof Replacement for 301 Goldsborough Street, a contributing building in the Historic District.

It was discussed ...

- Red architectural asphalt shingles will be used on the gable if the original Grand Manor shingles are not available.
- Like-kind cedar shingles will be used on the turret.
- Cedar shingles will be 1/2 inch thick.

Upon motion by Mr. Sebastian, seconded by Vice Chair Demby and carried 5 - 0, application 2022-769 was approved with the acknowledgment that the roof shingles may be architectural and not Grand Manor.

Historic District Guideline References:  
77b  
78a

**Application Number:** 2022-767  
**Location:** 100 N. West Street  
**Applicant:** Christine M. Dayton Architect, P.A.  
**Request:** New Porch Trim  
Joshua Startt was present on behalf of the New Porch Trim for 100 N. West Street, a contributing building in the Historic District.

It was discussed ...

- The new railing will be wood.
- No door or window changes.
- The porch floor and treads will be tongue and groove wood.
- No change to the lighting.
- The new roofing material will match the existing roof.
- Porch ceilings will be tongue and groove PVC.

Upon motion by Mr. Sebastian, seconded by Vice Chair Demby and carried 5 - 0, application 2022-767 was approved.

Historic District Guideline References:  
65 a, b  
68 a  
70 b  
91 a, c, d

**Application Number:** 2022-0773  
**Location:** 124. S Aurora Street  
**Applicant:** Zachary A. Smith  
**Request:** Exterior Alterations

Zachary A. Smith and David Wilson were present on behalf of the Exterior Alterations for 124 S. Aurora Street, a non-contributing building in the Historic District.  
It was discussed ...

- The awning has already been removed.
- A roof replacement had previously been approved by the Historic District Commission.
- The chimney will be removed.
- The five-foot fence will continue to the front from the north property line to the front facade.
- A revision will be needed for future siding work.
- The existing concrete patio will be kept.
- Signage will be submitted at a later time.

Upon motion by Mr. Sebastian, seconded by Mr. Harrington and carried 5 - 0, application 2022-0773 was approved.

**Historic District Guideline References:**

42 d  
44 b  
126  
127c

**Application Number:** 2022-714  
**Location:** 24 N. Aurora Street  
**Applicant:** Zachary A. Smith, Armistead, Lee, Rust & Wright, P.A.  
**Request:** Roof Replacement

Zachary A. Smith and John Ryan were present on behalf of the Roof Replacement for 24 N. Aurora Street, a contributing building in the Historic District.

It was discussed ...

- The applicant stated that we do not know what material was originally on 24 N Aurora Street since it was not noted in the Maryland Historic Trust Survey.
- It can not be determined whether the roofing material in the 1982 photos provided was asphalt or asbestos.
- Mr. Sebastian stated that installing asphalt shingles without proof they were previously used might be inappropriate for this home.
- The applicant argued that architectural asphalt shingles are consistent with the building's architectural style.
- Mr. Sebastian asked the applicant if they would entertain exploring an alternative to architectural asphalt shingles.
- Chair Pezor clarified that all decisions are made on a case by case basis.
- The applicant stated that 24 N Aurora Street was not included in the original list of properties submitted to the National List of Historic Places because significant amounts of Federal detail had been lost.
- The applicant asked that the Commission approve the material proposed in the application based on the factors listed in Appendix B Section 1.
- Staff clarified that this application may be considered under the economic hardship section of the zoning code.
- Vice Chair Demby asked if composite material that more closely mimics cedar shakes had been investigated. The applicant stated that the initial cost was similar to cedar and the warranty was inferior to asphalt shingles.
- Chair Pezor stated that architectural asphalt shingles did not mimic the existing cedar.
- Mr. Sebastian stated that we know that the original material was not asphalt shingles.
- Vice Chair Demby suggested that the applicant do more research into alternative materials to meet the Commission half-way.
- The applicant stated that today's cedar shakes are inferior to old growth cedar.
- Chair Pezor stated that slate might be appropriate.

Mr. Harrington recused himself.

Upon motion by Ms. Brophy, seconded by Mr. Sebastian and carried 4 - 0, application 2022-714 was denied.

#### Discussion Item

#### Approval of Minutes.

Upon motion by Ms. Brophy seconded by Mr. Sebastian and carried unanimously, minutes of the September 26th meeting were approved.

#### Administrative Approval

#### Consent Docket

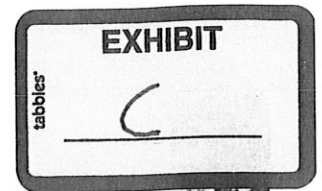
|                     |                                                 |
|---------------------|-------------------------------------------------|
| Application Number: | 2022-785                                        |
| Location:           | 122 Goldsborough Street and 27 N. Hanson Street |
| Applicant:          | Michael Stuart                                  |
| Request:            | Emergency Repairs to Existing Roof              |

#### Adjournment.

At 8:14 pm, upon motion by Mr. Sebastian seconded by Vice Chair Demby and carried 5 - 0, Chair Pezor adjourned the regularly scheduled meeting.  
Respectfully submitted,

---





**Description**

Talbot Historical Society Walking Tour of Easton, Maryland

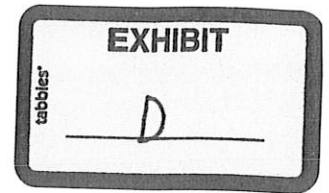
Foxley Hall

24 North Aurora Street

Easton, Maryland

The Federal period house was built from 1794-1798. The original owner was Deborah (Perry) Dickinson. Others who lived there: U.S. Senator John Leeds Kerr (1780-1844) and Oswald Tilghman.

#T-30 in "Where Land and Water Intertwine" by Christopher Weeks. 1984



T-30

## Foxley Hall

### Architectural Survey File

This is the architectural survey file for this MIHP record. The survey file is organized reverse-chronological (that is, with the latest material on top). It contains all MIHP inventory forms, National Register nomination forms, determinations of eligibility (DOE) forms, and accompanying documentation such as photographs and maps.

Users should be aware that additional undigitized material about this property may be found in on-site architectural reports, copies of HABS/HAER or other documentation, drawings, and the "vertical files" at the MHT Library in Crownsville. The vertical files may include newspaper clippings, field notes, draft versions of forms and architectural reports, photographs, maps, and drawings. Researchers who need a thorough understanding of this property should plan to visit the MHT Library as part of their research project; look at the MHT web site ([mht.maryland.gov](http://mht.maryland.gov)) for details about how to make an appointment.

All material is property of the Maryland Historical Trust.

*Last Updated: 04-05-2004*

MARYLAND HISTORICAL TRUST

7-30

200505204  
Town of Easton

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

**1 NAME**

HISTORIC

Foxley Hall

AND/OR COMMON

**2 LOCATION**

STREET & NUMBER

24 North Aurora Street

CITY, TOWN

Easton

VICINITY OF

CONGRESSIONAL DISTRICT

TRUST

STATE

Maryland 21601

COUNTY

Talbot

**3 CLASSIFICATION**

CATEGORY

☐ DISTRICT

☒ BUILDING(S)

☐ STRUCTURE

☐ SITE

☐ OBJECT

OWNERSHIP

☐ PUBLIC

☒ PRIVATE

☐ BOTH

PUBLIC ACQUISITION

☐ IN PROCESS

☐ BEING CONSIDERED

STATUS

☒ OCCUPIED

☐ UNOCCUPIED

☐ WORK IN PROGRESS

ACCESSIBLE

☐ YES RESTRICTED

☐ YES UNRESTRICTED

☒ NO

PRESENT USE

☐ AGRICULTURE

☐ COMMERCIAL

☐ EDUCATIONAL

☐ ENTERTAINMENT

☐ GOVERNMENT

☐ INDUSTRIAL

☐ MILITARY

☐ MUSEUM

☐ PARK

☒ PRIVATE RESIDENTIAL

☐ RELIGIOUS

☐ SCIENTIFIC

☐ TRANSPORTATION

☐ OTHER

**4 OWNER OF PROPERTY**

NAME

Elizabeth G. Proctor

Telephone #:

STREET & NUMBER

P. O. Box 203

CITY, TOWN

Paula Park

VICINITY OF

STATE, zip code

California 95025

**5 LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE

REGISTRY OF DEEDS, ETC.

Talbot County Court House

STREET & NUMBER

Washington Street

CITY, TOWN

Easton

STATE

Maryland 21601

Liber #: 485 43

Folio #: 606

**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE

Town of Easton Survey by Paul Trindone

DATE

August 25, 1967

FEDERAL ☒ STATE ☐ COUNTY ☐ LOCAL ☐

DEPOSITORY FOR  
SURVEY RECORDS

Maryland Historic Trust

CITY, TOWN

Annapolis

STATE

Maryland





T-30

**9 MAJOR BIBLIOGRAPHICAL REFERENCES**

Deeds and Land Records, Talbot County Court House.

CONTINUE ON SEPARATE SHEET IF NECESSARY

**10 GEOGRAPHICAL DATA**ACREAGE OF NOMINATED PROPERTY NA

VERBAL BOUNDARY DESCRIPTION

NA

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE None COUNTY

STATE COUNTY

**11 FORM PREPARED BY**

NAME - TITLE

Marsha L. Fritz, Consultant

ORGANIZATION

Historic Easton, Incorporated

DATE

January 25, 1977

STREET &amp; NUMBER

Box 1171TELEPHONE Mr. Paul Parsons,  
301-541-2706 President

CITY OR TOWN

Easton

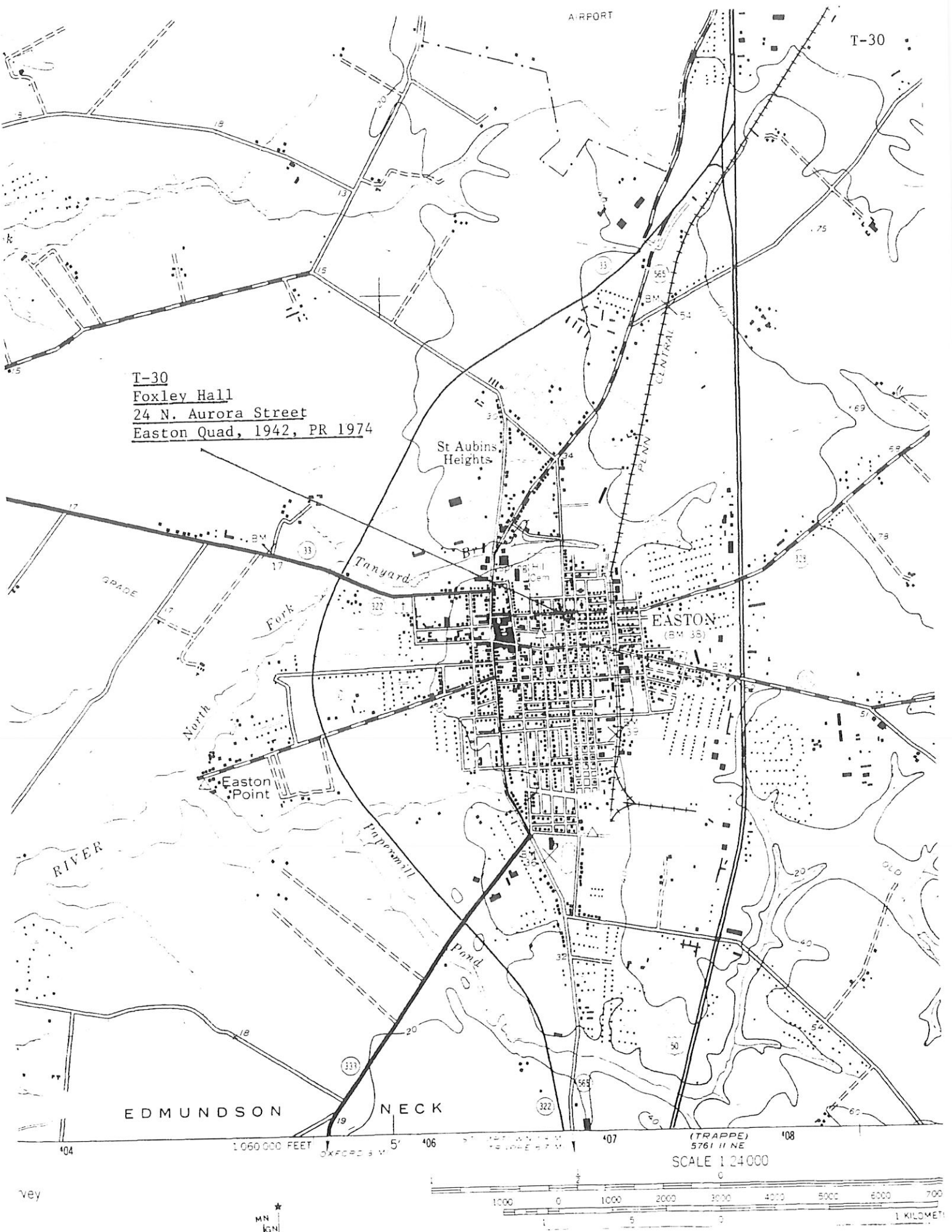
STATE

Maryland 20601

The Maryland Historic Sites Inventory was officially created by an Act of the Maryland Legislature, to be found in the Annotated Code of Maryland, Article 41, Section 181 KA, 1974 Supplement.

The Survey and Inventory are being prepared for information and record purposes only and do not constitute any infringement of individual property rights.

RETURN TO: Maryland Historical Trust  
The Shaw House, 21 State Circle  
Annapolis, Maryland 21401  
(301) 267-1438



T-30  
Foxley Hall  
24 N. Aurora Street  
Easton Quad, 1942, PR 1974

T-30

St Aubins  
Heights

PENN  
CENTRAL

EASTON  
(BM 35)

Easton  
Point

RIVER

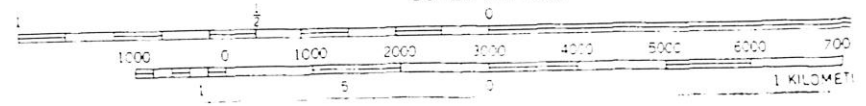
EDMUNDSON

NECK

(TRAPPE)  
5761 II NE  
SCALE 1:24,000

vey

metro methods





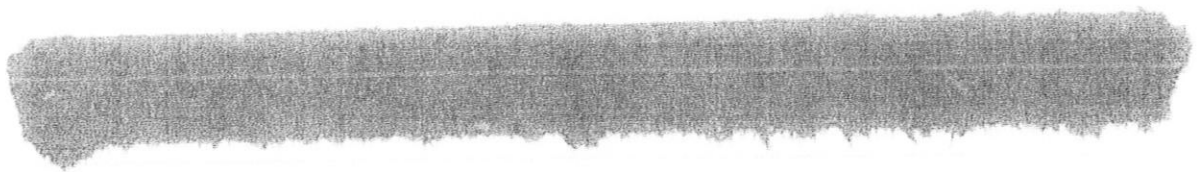
172148

75% 30

FOXLEY HALL  
24 N. DUCROIX  
EASTON, MD.

T. 30

9/76 VIEW TO SE.







Fox Leg HALL, Saston, Talbot County T-30

Date 67

# Exhibit 'B'

Town of Easton  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: SMILES Type: DC Drawer: 1  
Date: 11/08/22 01 Receipt no: 5303

| Year | Number        | Amount   |
|------|---------------|----------|
| 2022 | 808           |          |
| PZ   | PZ - PAYMENTS | \$550.00 |

| Tender detail  |      |          |
|----------------|------|----------|
| CK CHECK       | 1778 | \$550.00 |
| Total tendered |      | \$550.00 |
| Total payment  |      | \$550.00 |

Trans date: 11/08/22 Time: 15:50:03

THANK YOU FOR YOUR PAYMENT.



# Exhibit 'C'



**Sign posted on November 29, 2022**



# Exhibit 'D'

**APG Media of Chesapeake, LLC**  
29088 Airpark Drive  
Easton, MD 21601

11/22/22

Phone: Fax:  
<http://www.chespub.com>

|                                         |                                |
|-----------------------------------------|--------------------------------|
| Cust. AcctID: <b>1001355</b>            | Creation Date: <b>11/22/22</b> |
|                                         | Ad Date: <b>12/04/22</b>       |
|                                         | Class: <b>10</b>               |
| Name: <b>Joanne Drummer</b>             | Ad ID: <b>3006377</b>          |
| Company: <b>TOWN OF EASTON (L)</b>      | Ad Taker: <b>AHALL</b>         |
| Address: <b>PO Box 520</b>              | Sales Person: <b>503</b>       |
| <b>EASTON, MD 21601</b>                 | Words: <b>155</b>              |
|                                         | Lines: <b>17</b>               |
| Telephone: <b>(410) 822-2525</b>        | Agate Lines: <b>54</b>         |
| Email:                                  | Depth: <b>2.25</b>             |
| Description: <b>Application A-22-02</b> | Inserts: <b>2</b>              |
|                                         | Blind Box:                     |

|                |               |              |                 |
|----------------|---------------|--------------|-----------------|
| Other Charges: | <b>\$0.00</b> | Total:       | <b>\$78.75</b>  |
| Discount:      | <b>\$0.00</b> |              |                 |
| Surcharge:     | <b>\$0.00</b> | Paid Amount: | <b>- \$0.00</b> |
| Credits:       | <b>\$0.00</b> |              |                 |
| Bill Depth:    | <b>2.25</b>   | Amount Due:  | <b>\$78.75</b>  |

## CREDIT CARD DETAILS

| PT | CT | CN | Number | Exp. | Amnt. |
|----|----|----|--------|------|-------|
|    |    |    |        |      |       |

| Publication       | Start    | Stop     | Inserts | Cost           |
|-------------------|----------|----------|---------|----------------|
| The Star Democrat | 12/04/22 | 12/04/22 | 1       | <b>\$78.75</b> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NOTICE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Notice is hereby given that Zachary A. Smith on behalf of Jonathan and Laura Ryan has filed Application No. A-22-02, pursuant to Section 28-1303.5 A of the Zoning Ordinance of the Town of Easton, to obtain an appeal from Section 28-601 of the Zoning Ordinance. The applicant is requesting an appeal of the Historic Commissions decision to deny the applicants proposed architectural asphalt shingles. The property is located at 24 N. Aurora Street, Easton, Maryland and is situated in the R7A - Residential Zoning District. The property is owned by Jonathan and Laura Ryan. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on December 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend. |
| EASTON BOARD OF ZONING APPEALS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 3006377 SD 12/4/2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Ad Note:

Customer Note:

*We Appreciate Your Business!*  
*Thank You Joanne Drummer!*

# Exhibit 'E'



## TOWN OF EASTON

### Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

### NOTICE OF APPLICATION SUMMARY

2022-12-20

A-20-02

**Exhibit A:** Application – 2022-11-08 - 42 days

**Exhibit B:** Paid Receipt – 2022-11-08 – 42 days

**Exhibit C:** Picture of Sign Posting – 202-11-29 – 21 days

**Exhibit D:** Confirmation from Star Democrat – 2022-11-22 – 28 days

**Exhibit E:** Notices

- **Notice Compilation:** 2022-12-13
- **Applicant notified of hearing date:** Email: 2022-12-01
- **400' Notices Distributed:** 2022-12-01
- **Advertisement sent to the Star Democrat:** 2022-11-22 – 28 days

**Advertisement run in Star Democrat:** 2022-12-04 – 16 days



THE STAR DEMOCRAT - ONE TIME - SUNDAY, DECEMBER 4<sup>th</sup>, 2022

NOTICE

Notice is hereby given that Zachary A. Smith on behalf of Jonathan and Laura Ryan has filed Application No. A-22-02, pursuant to Section 28-1303.5 A of the Zoning Ordinance of the Town of Easton, to obtain an appeal from Section 28-601 of the Zoning Ordinance. The applicant is requesting an appeal of the Historic Commissions decision to deny the applicants proposed architectural asphalt shingles. The property is located at 24 N. Aurora Street, Easton, Maryland and is situated in the R7A – Residential Zoning District. The property is owned by Jonathan and Laura Ryan. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on December 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.



## TOWN OF EASTON

P.O. Box 520  
Easton, Maryland 21601

December 1, 2022

Mr. Zachary A. Smith  
114 Bay Street, Building C  
Easton, MD 21601

Re: Application No. A-22-02  
Tax Map 103 Parcel 113  
24 N. Aurora Street

Mr. Smith:

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, December 20<sup>th</sup>, 2022 at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

**Samantha N. Smith**  
Administrative Specialist  
Planning & Zoning Department  
Town of Easton, MD  
410-822-1943  
[ssmith@eastonMD.gov](mailto:ssmith@eastonMD.gov)





## TOWN OF EASTON

14 South Harrison Street  
Easton, Maryland 21601

December 5, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, December 20, 2022 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov>.

This letter is sent to inform you that an application for 24 N. Aurora Street has been filed for an appeal of the Historic Commissions October 10, 2022 decision to deny the applicants proposed architectural asphalt shingles in a R7A zoning district.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at [ssmith@eastonmd.gov](mailto:ssmith@eastonmd.gov).

**Samantha N. Smith**  
Administrative Specialist  
Planning & Zoning Department  
Town of Easton  
410-822-1943  
[ssmith@eastonMD.gov](mailto:ssmith@eastonMD.gov)

**Date of Hearing:** December 20, 2022

**#3B**

**Board of Zoning Appeals  
STAFF REPORT**

**SUBJECT:** Special Exception – 838

**ELECTION WARD:** Ward 2

**CRITICAL ACTION DATE:** At the pleasure of the board

**STAFF CONTACTS:** Nicholas H Johnson, Planner  
Lynn Thomas, Town Planner  
Miguel Salinas, Planning and Zoning Director

**APPLICANT:** Brendan Mullaney of MDSW on behalf of Dacourt Properties LLC

**PURPOSE:** To obtain a special exception allowing the applicant to operate a live-work unit in a residential zoning district (R-10A). The applicant proposes to operate a hair salon on the ground floor and maintain a living space on the second floor.

**RECOMMENDATION:**

Staff supports a Board of Zoning Appeals **approval** with a condition (see below).

| <b>APPLICATION INFORMATION:</b>                                                        |                                                                                              |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>APPLICANT:</b><br>Dacourt Properties LLC<br>443-786-4863<br>courtneydulin@gmail.com | <b>REPRESENTATIVE:</b><br>Brendan Mullaney<br>MDSW<br>410-820-0250<br>bmullanewy@mdswlaw.com |
| <b>PARCELS/ACREAGE:</b>                                                                |                                                                                              |
| Parcel Information                                                                     | Square Feet                                                                                  |
| Tax Map 106, Gird 0, Parcel 2626                                                       | 39,100                                                                                       |
| <b>ACCEPTANCE DATE:</b><br>November 15, 2022                                           | <b>LOCATION:</b><br>1006 S Washington Street                                                 |
| <b>EXISTING ZONING</b><br>R-10A                                                        | <b>EXISTING LAND USE:</b><br>Vacant Office                                                   |
| <b>HISTORIC DISTRICT:</b><br>No                                                        | <b>FUTURE LAND USE:</b><br>Residential                                                       |



**CONTEXT:**

Location/Site Access – The subject property is located on the southern end of Washington Street, a few blocks south of Idlewild Park. The rear gravel parking lot is accessed via a 20-foot-wide right-of-way referred to as Willow Lane. There is also a paved parking lot in the front that is accessed directly from S Washington Street.

Existing Conditions – Vacant former law office with a second story residential space. There is also a one-story building in the backyard.

Surrounding Properties:

- 1004 S Washington Street – R-10A
- 304 Maple Avenue – R-10A
- 306 Maple Avenue – R-10A
- 1008 S Washington Street – R-10A
- 719 Wayside Avenue – R-10A

**Figure 1: Vicinity Map**



**PROPOSAL:** The applicant is seeking to obtain a Special Exception from the following sections of the Zoning Ordinance: §28-201 Permitted Uses (Table 2.1 (6) (608)) to allow a live-work unit in the R-10A zone. The scope of work consists of interior renovations to an existing vacant unit.

**BACKGROUND:** In 2007, Special Exception-700 was obtained to allow a law office to be operated on this property. A building permit was then obtained to remodel the structure and add a new means of egress to the second story. The building permit included a letter from the Building Inspection Department dated October 16, 2007 which states “the project owner shall provide a certified affidavit that the second floor will not be used as a residential dwelling.”

In a letter from the Planning and Zoning Department dated May 27, 2022, the Department determined the property was utilized as a law office and accessory residential apartment unit within the building closest to S. Washington Street on the western portion of the Property. The letter also stated that the accessory residential dwelling unit on the second floor of the western building was instituted prior to June 26, 1988 and is a legal, grandfathered, nonconforming use that is permitted to remain subject to 28-401.9 of the Zoning Ordinance. Lastly, the letter also determined that, based upon a review of Town records, the Property was not in violation of any zoning or other laws and the Department had no record of any outstanding citations or violations on the Property.

#### OUTSTANDING ISSUES:

**1. Status of the Residential Unit** – The 2007 Building Inspection Department letter clearly states “the second floor shall not be used as a residential dwelling”. However, the May 2022 letter from the Planning Department affirms the second floor use as a residential dwelling unit and a legal nonconforming use. Staff has conferred with the Building Inspection Division for a recommended condition should the Board approve the special exception (see below).

#### ZONING ANALYSIS:

##### 28-114 Definitions

**Live-Work Units (flexhouses)** – *a mixed-use building type that integrates a residential unit as well as a separate flex space, accommodating a range of nonresidential uses.*

**Analysis:** The proposed use meets the Zoning Ordinance definition of a live-work unit.

##### 28-201 Table 2.1 (1) 103.9 & (6) 608: R-10A

|       |                  |    |    |    |    |   |
|-------|------------------|----|----|----|----|---|
| 103.9 | Live-work units* | P  | P  | P  | P  | P |
| 608   | Live-Work Unit   | -- | SE | SE | SE | P |

**Analysis:** Live-work unit shows up two times in the table of permitted uses. The first time (under the residential section) it is permitted by right subject to supplemental standards. The second time (under miscellaneous/combination/hybrid uses) is allowed by special exception with no



supplemental standards. This application is premised on the Live-Work unit as a permitted use in the zoning district by special exception.

**28-1007.1 (13).i.15.**

***The ground floor and upper floor spaces shall establish the greater of a two hour fire separation or the requirement of the Town of Easton Building Code.***

**Analysis:** Although the live-work unit is not subject as a permitted use by special exception is not subject to the supplemental standards, staff notes that live-work unit supplemental standards includes a standard on a two-hour fire separation for purposes of health, safety, and welfare..

**POLICY ANALYSIS (SPECIAL EXCEPTION):**

**a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located;**

The structure currently meets the Zoning Ordinance's setback, height, lot coverage, and density requirements.

**b. The proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;**

The proposed use should not have any adverse effects on health, safety, and general welfare since this structure has been used as an office for 15 years without any documented issues.

**c. The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;**

This use should not interfere with the adequate provision of public facilities since the property has previously been used in a similar fashion with not documented issues.

**d. The proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;**

Adequate parking has been provided on site in the front paved parking lot and the rear gravel lot.

**e. The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;**

There should be no changes to the property causing any adverse environmental conditions.

**f. The proposed use will not adversely affect the established character of the area.**

This use should not affect the established character of the area since the building was designed to house an office and already includes a large paved parking area.

**g. The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.**

The comprehensive plan's future land use shows this parcel being residential which is consistent with the proposed use. The Comprehensive plan also emphasizes neighborhood-scale retail and mixed-use which this project provides.

**RECOMMENDED CONDITION:**

1. The applicant shall obtain a building permit and a certificate of occupancy for the salon to ensure the live-work unit is in conformance with the Town of Easton building code, including adequate fire separation.

**DRAFT MOTIONS:**

1. I move that the Board of Zoning Appeals approve SE-838 with the staff's recommended condition.

OR

2. I move that the Board of Zoning Appeals deny SE-838.

OR

3. I move an alternate motion.

**Town of Easton**

Engineering, Planning and Zoning

14 South Harrison Street, Easton, MD 21601

**RECEIVED****NOV 15 2022****TOWN OF EASTON****SE-838 / SE 22-18****NAV 22-810****Board of Zoning Appeals Application****Application Type**☐ Variance ☐ Appeal ☒ Special Exception**Property Information**

Address 1006 S. Washington St. Easton, MD 21601

|                 |                    |      |       |        |      |     |  |
|-----------------|--------------------|------|-------|--------|------|-----|--|
| Tax Map         | 0106               | Grid |       | Parcel | 2626 | Lot |  |
| Deed Reference: | Liber              | 3000 | Folio | 385    |      |     |  |
| Plat Reference: | Liber              |      | Folio |        |      |     |  |
| Existing Use    | Office / Apartment |      |       |        |      |     |  |
| Zoning District | R-10A              |      |       |        |      |     |  |

Historic District Y ☐ N ☒ PRD Y ☐ N ☐

**Owner**

Name Dacourt Properties, LLC

Mailing Address 22716 Havercamp Rd. Preston, MD 21655

Telephone No. 443-786-4863 Email courtneydulin@gmail.com

**Applicant or Agent**

Name Brendan Mullaney, MDSW

Mailing Address 100 N. West Street, Easton, MD 21601

Telephone No. 410-820-0250 Email bmullaney@mdswlaw.com

**Surveyor / Engineer**

Name License No. Expiration Date

Mailing Address

Telephone No. Email

**Request Details**Subject to Previous BOZA Application Y ☒ N ☐

Zoning Ordinance Section

Change From to

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

See attached narrative.

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.



- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

*Any modifications during review shall warrant an updated application.*

*I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.*

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent

  
 11.15.22  
 BRENDAN S. MULVANEY

*For Office Use Only*

|                    |                   |                          |             |
|--------------------|-------------------|--------------------------|-------------|
| Project Number     | <b>SE 22-18</b>   | Fee Received             | <b>PAID</b> |
| Application Number | <b>SE-838</b>     | Application Notification |             |
| Filing Date        | <b>11/15/2022</b> | Property Posting Date    |             |
| BOZA Hearing Date  | <b>12/20/2022</b> | Notice(s) Published      |             |
| If ESDR, Date      |                   |                          |             |

*Revised 2-2019*

## NARRATIVE FOR SPECIAL EXCEPTION DACOURT PROPERTIES, LLC

### I. INTRODUCTION.

Dacourt Properties, LLC (“**Applicant**”) hereby requests special exception approval for a “Live-Work Unit (flexhouse)” at 1006 South Washington Street in Easton (the “**Property**”). Approval of the special exception sought would permit operation of a salon on the first floor of the building on the Property while the second floor of the building remains living space. The Property is zoned Residential (R-10A) and was most recently utilized as a law office and related storage.

The previous owner of the Property applied for and received special exception approval to permit office space with a residential apartment on the Property in 2007. The Property has been utilized since 2007 by that law firm without detriment or adverse impact to the neighborhood. The Property is improved with two structures and significant parking areas as demonstrated by the plat submitted with this application and is therefore appropriately utilized for a low-impact commercial use as is proposed by the Applicant.

### II. SPECIAL USE EXCEPTION CRITERIA.

The proposed use, as demonstrated by this Application, satisfies the requirements of § 28-1303.5, which sets forth the general criteria which must be satisfied before the Board of Zoning Appeals may grant a Special Exception. As required by the Code, Applicant addresses the relevant criteria as follows:

- (a) *The proposed use conforms in all aspects to minimum requirements of the district in which it is located.*

The proposed use meets setback, height, lot coverage, and all other requirements of the R-10A district in which it will be located. The Property is already improved by two buildings and parking areas and the proposed use will not require any material modifications to the Property or improvements.

- (b) *The proposed use will not adversely affect the health, safety, or general welfare of the residents of the area.*

The proposed use will not adversely affect the health, safety and general welfare of the residents of the area. The Property has been utilized as a law office for over fifteen years without adverse impacts to the neighborhood and approval of the special exception sought will allow a low-impact service business to operate on the Property and serve the community.

- (c) *The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions.*

The proposed use will not have any adverse impacts on public facilities or services. The impact on the public facility necessary to service the area will be no different than the impacts from the existing use on the Property.

- (d) *The proposed use will not create congestion in the streets or undue traffic hazards, and adequate egress and ingress are provided.*

The proposed use will include a residential tenant in the existing second-floor apartment and eight stylist chairs. Stylists will rotate shifts depending on the time of day and weekday. The Property has ample parking and adequate egress and ingress to accommodate the maximum number of trips for employees, customers, and tenants. The traffic expected for the proposed use is similar to the traffic generated by the existing use of the Property.

- (e) *The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access.*

No smoke, odor, noise, or changes in drainage will result from the proposed use on the Property and access to the Property from Washington Street has been established since the Property was first improved around 1920. No adverse impacts to the neighborhood or adjacent properties will result from the proposed use.

- (f) *The proposed use will not adversely affect the established character of the area.*

The Property has been home to a law office for the last fifteen (15) years and was operated as a flooring company and tractor supply retailer before 2007. Commercial use of the Property has been established on the Property for decades and is a part of the character of the neighborhood. No adverse impacts to the character of the area result from the proposed use.

- (g) *The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development and redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.*

The proposed use is consistent with the Easton Comprehensive Plan (the “Plan”). Particularly, the proposal: (1) provides a service that allows for mixed-use and walkable design for a primarily residential area;<sup>1</sup> (2) provides an apartment housing

---

<sup>1</sup> Town of Easton Comprehensive Plan, p.4 Community Design. (2010).



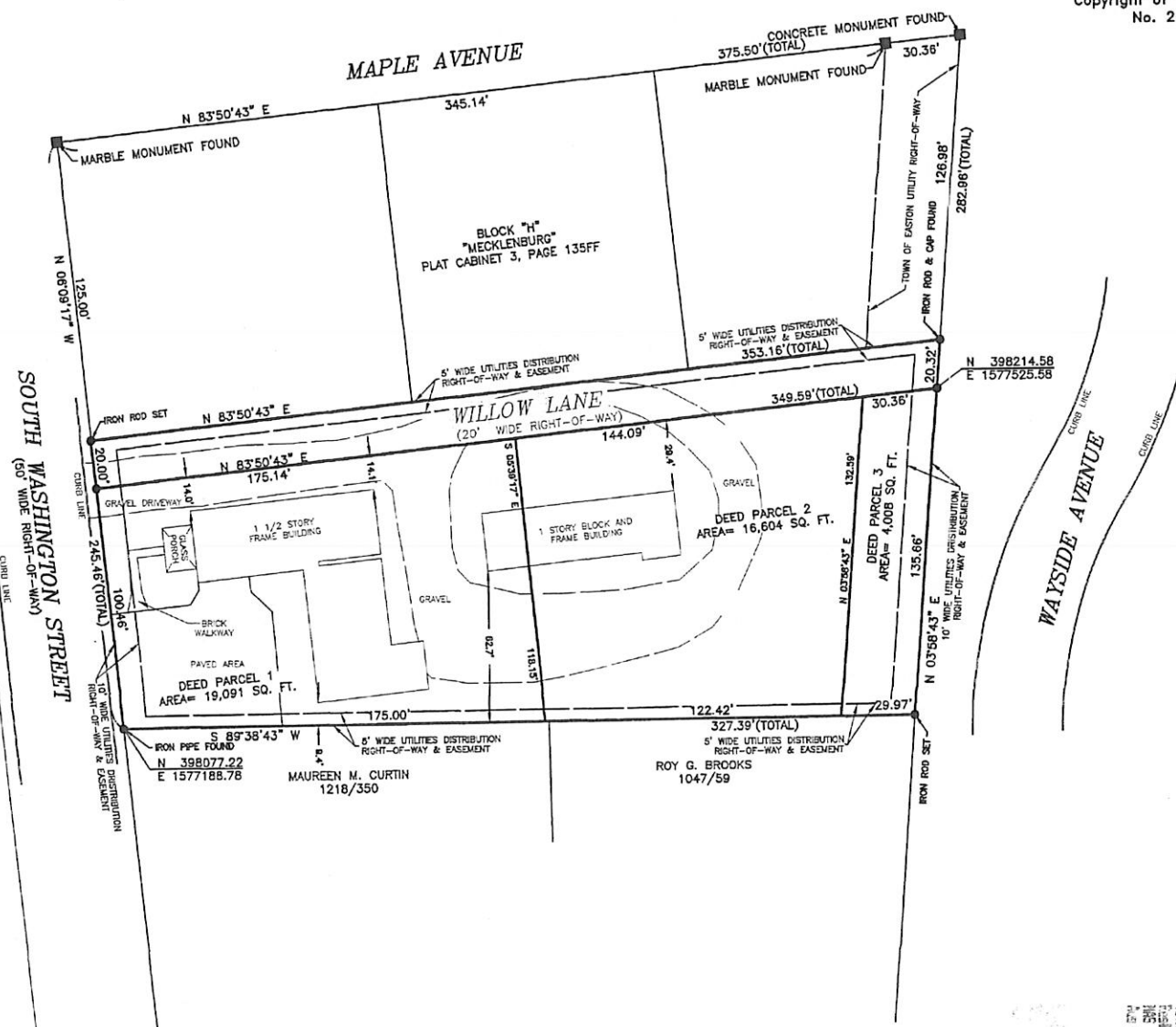
unit for use of Town residents;<sup>2</sup> and (3) enhances economic development and promotes employment opportunities.<sup>3</sup> Approval of the special exception sought permits reasonable and continued residential and commercial use of a commercial property in the R-10A district. The proposed use is a low-impact service business that will benefit the community and provide a service that all Easton citizens utilize. While the use does require special exception approval in the R-10A zoning district, the Property is very unique in that it has been used as a commercial property serving the citizens of Easton and Talbot County for decades. The live-work unit proposed is a low-impact service business that furthers the goals and planning objectives of the Town.

---

<sup>2</sup> *Id.* Housing.

<sup>3</sup> *Id.* p.5 Economic Development.

Project Manager: TDL



VICINITY MAP  
SCALE: 1" = 2000'  
Copyright of the ADC Map People Permitted Use  
No. 20992180 (ADC MAP No. 14)

STATE OF MARYLAND  
Talbot County, TO WIT:  
Now onen in the Last Precinct of Talbot County

*The Hon. J. H. H. H. H.*

Mary Ann Gordon, Clerk  
Circuit Court for Talbot County

MAS  
82175

FILED - SOUTHERN DISTRICT OF NEW YORK  
JAN 10 1968  
CLERK OF COURT

DEPT. OF JUSTICE  
DIV. 1  
DEC 18 1967

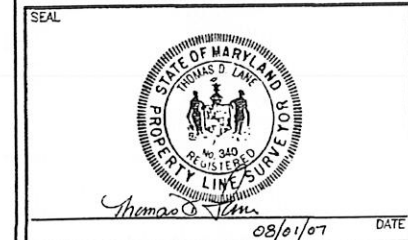
[illegible]

**Lane Engineering, LLC**  
Established 1986  
Civil Engineers • Land Planning • Land Surveyors



E-mail: [mail@lane.com](mailto:mail@lane.com)  
117 Bay St. Eastern, MD 21601 (410) 822-8003  
15 Washington St. Centerville, MD 21033 (410) 721-0818  
114B West Water St. Centerville, MD 21017 (410) 758-2095

NOT VALID FOR CONSTRUCTION  
UNLESS SIGNED AND DATED:



EXISTING CONDITIONS  
ON THE LAND OF

GLEN EAGLE DEVELOPMENT, L.L.C.

IN THE TOWN OF EASTON  
TALBOT COUNTY, MARYLAND  
TAX MAP 106 PARCEL 2626

|             |       |     |
|-------------|-------|-----|
| ISSUED FOR: | DATE: | BY: |
|-------------|-------|-----|

|                |          |
|----------------|----------|
| SHEET No.      | JOB No.  |
| SHEET 01 OF 01 | 070338   |
|                | FILE No. |
|                | 1289     |

PM2079

MSA SSu 1254 4168

McAllister, DeTar, Showalter & Walker LLC  
 File No. **1106.900**  
 Tax ID # **01-059718**  
 Underwriter: **Chicago Title Insurance Company**

**This Deed**, made this 1<sup>st</sup> day of September, 2022 by and between CtC FAMILY LIMITED PARTNERSHIP, a Maryland limited partnership, party of the first part, Grantor; and DACOURT PROPERTIES, LLC, a Maryland limited liability company, party of the second part, Grantee.

- Witnesseth -

That for and in consideration of the sum of SEVEN HUNDRED TWENTY THOUSAND DOLLARS AND 00/100 (\$720,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant and convey unto the said DACOURT PROPERTIES, LLC, a Maryland limited liability company, its successors and assigns, forever, in fee simple, all that lot of ground situate in the County of Talbot, State of Maryland and described as follows, that is to say:

**PROPERTY NO. ONE:**

PARCEL NO. ONE: ALL that lot or parcel of land situate, lying and being near the Town of Easton, Talbot County, State of Maryland, on the East side of Washington Street Extended, and being bounded on the North by Willow Lane, on the East by the "Subdivision of Mecklenburg" and on the South by the lands now or formerly belonging to John Schuyler, and being more particularly described by metes and bounds, courses and distances, as follows, to wit:

BEGINNING for the same at an iron pin set on the East side of Washington Street Extended, where the same is intersected by the South side of Willow Lane; said iron pin bearing South six degrees seventeen minutes East twenty feet (S 6° 17' E 20') from an iron pin set on the Southwest corner of the "Subdivision of Mecklenburg", said pin being on the North line of Willow Lane; thence (1) with the South side of Willow Lane North eighty-three degrees forty-three minutes East one hundred seventy-five feet (N 83° 43' E 175') to an iron pin; thence (2) continuing with the subdivision South five degrees forty-seven minutes East one hundred eighteen and fifteen one-hundredths feet (S 5° 47' E 118.15') to an iron pin and lands now or formerly belonging to John Schuyler; thence (3) with Schuyler's land South eighty-nine degrees thirty-one minutes West one hundred seventy-five feet (S 89° 31' W 175') to an iron pin and the East side of Washington Street Extended; thence (4) with the East side of Washington Street Extended North six degrees seventeen minutes West one hundred and five tenths feet (N 6° 17' W 100.5') to the place of beginning, containing an area of .439 of an acre.

PARCEL NO. TWO: ALL that lot of ground lying immediately to the East of Parcel No. One hereinabove described, fronting on the South side of Willow Lane, and described as follows:

TALBOT COUNTY FINANCE OFFICE  
 RECORDATION TAX  
 AMT: \$ 8,640.00  
 DATE: 9/2/2022  
 INITIALS: SPH  
 Prop ID: 01-059718

**CERTIFICATION IS MADE THAT ALL TAXES  
 DUE ON THE PROPERTY INDICATED IN  
 THIS DEED HAVE BEEN PAID.  
 FINANCE OFFICER OF TALBOT COUNTY  
 CLAY B. STAMP, FIN. OFFICER**

DATE

9/2/2022

Page 1 of 3



BEGINNING for the same at the Northeast corner of the property of Charles Mielke and wife, on the South side of Willow Lane, and running from thence with said Mielke property, S 5° 37' E 118.5 feet to the property of Winnie Schuyler; thence with the same, N 89° 31' E 125 feet to the West side of Walnut Lane extended Southerly; thence with the West side of Walnut Lane extended, N 3° 51' E 130 feet to the South side of Willow Lane, S 83° 43' W 142 feet to the place of beginning, containing .384 acres of land, more or less.

PARCEL NO. THREE: ALL that lot of ground situate in the Town of Easton, Talbot County, Maryland, at the Southerly terminus of Walnut Lane as the same is shown and indicated on the Plat of Mecklenburg Sub-Division recorded among the Plat Records of Talbot County, Maryland in Liber No. 1, folio 105, and described as follows:

BEGINNING at a hub at the Southwest intersection of Walnut Lane and Willow Lane as the same is shown on said Plat, and running thence with the East side of a part of the property conveyed by Fred S. Lewis and wife, to Albert L. Pahlman and wife, by Deed dated October 17, 1946 and recorded in Liber No. 270, folio 350, a Land Record Book for Talbot County, S 3° 51' W 130 feet to the Southeast corner of the above- described property; thence N 89° 31' E 30 feet to the West side of the Railroad Right-of- Way; thence with the West side of said Right-of-Way N 3° 51' E 130 feet to the Southeast intersection of Walnut Lane and Willow Lane, and thence S 83° 43' W 30 feet to the hub at the place of beginning.

PROPERTY NO. TWO:

ALL that parcel of land shown as Willow Lane on a Plat entitled: "MAP SHOWING A SUB-DIVISION OF MECKLENBURG NEAR THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND", recorded among the Plat Records of Talbot County, Maryland in Liber No. 1, folio 105.

PROPERTY NO. ONE AND PROPERTY NO. TWO BEING the same properties conveyed unto CtC Family Limited Partnership, a Maryland limited partnership, by Deed from Glen Eagle Development, LLC, a Maryland limited liability company, dated July 31, 2007, recorded among the Land Records of Talbot County, Maryland in Liber 1562, folio 616.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

Subject, however, to any covenants, conditions, restrictions and easements of record.

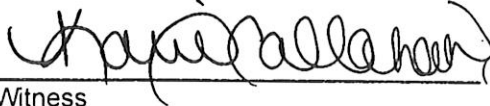
To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said DACOURT PROPERTIES, LLC, a Maryland limited liability company, its successors and assigns, forever, in fee simple.

And the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

**SIGNATURES TO APPEAR ON FOLLOWING PAGE**

As Witness the hand and seal of said Grantor, the day and year first above written.

CtC FAMILY LIMITED PARTNERSHIP, a  
Maryland Partnership

  
Witness (SEAL)

By:  (SEAL)  
CHARLES T. CAPUTE, GENERAL PARTNER

STATE OF MARYLAND, COUNTY OF TALBOT, TO WIT:

I hereby certify that on this 31<sup>st</sup> day of August, 2022, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Charles T. Capute, who acknowledged himself to be the (i) General Partner of CtC Family Limited Partnership, a Maryland limited partnership (the "Partnership"), (ii) as such General Partner, being authorized to do so, executed the same for and on behalf of the Partnership in the capacity therein stated and for the purposes therein contained, and (iii) said instrument is the act of the Partnership, giving oath under the penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



  
Notary Public

My commission expires: 11/28/2025

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

  
Douglas S. Walker (SEAL)

AFTER RECORDING, PLEASE RETURN TO:  
**McAllister, DeTar, Showalter & Walker LLC**  
100 N. West Street  
Easton, MD 21601

**MARYLAND  
FORM  
WH-AR**
**Certification of Exemption from Withholding Upon  
Disposition of Maryland Real Estate Affidavit of  
Residence or Principal Residence**
**2022**

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

**1. Transferor Information**

Name of Transferor CtC FAMILY LIMITED PARTNERSHIP

**2. Description of Property** (Street address. If no address is available, include county, district, subdistrict and lot numbers).

1006 South Washington Street, Easton, MD 21601

**3. Reasons for Exemption****Resident Status**☐

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☒

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

**Principal Residence**☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

**Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.**

**3a. Individual Transferors**

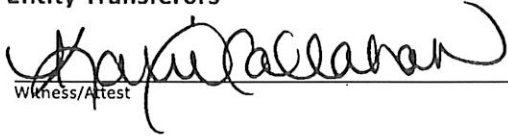
\_\_\_\_\_  
Witness

\_\_\_\_\_  
Name

\_\_\_\_\_  
\*\*Date

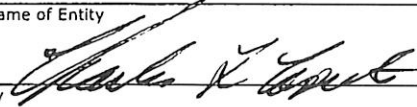
\_\_\_\_\_  
Signature

**3b. Entity Transferors**

  
Witness/Attest

CtC FAMILY LIMITED PARTNERSHIP

\_\_\_\_\_  
Name of Entity

By 

CHARLES T. CAPUTE

\_\_\_\_\_  
Name

9/1/22  
\*\*Date

GENERAL PARTNER

\_\_\_\_\_  
Title

\*\* Form must be dated to be valid.

**Note:** Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

**To the Clerk of the Court:** Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.



LR - Deed (w Taxes)  
Recording Fee no RT  
20.00  
Name: Dacourt  
Properties Properties  
LLC  
Ref:  
LR - Deed (with Taxes)  
Surcharge 40.00  
LR - Deed State  
Transfer Tax 3,600.00  
LR - County Transfer  
Tax - linked 7,200.00  
LR - NR Tax - lkd 0.00  
=====

|           |           |
|-----------|-----------|
| SubTotal: | 10,860.00 |
| =====     |           |
| Total:    | 11,035.00 |

09/02/2022 03:45  
CC20-NH  
#16577960 CC0205 -  
Talbot  
County/CC02.05.01 -  
Register 01



**Kathleen M. Duvall, Clerk**  
**Circuit Court for Talbot County**  
11 N. Washington St., Suite 16  
Easton, Maryland 21601

License and Recording  
410-822-2611 Ext. 4

DOCUMENT VALIDATION  
(excluded from page count)

## State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Talbot

Information provided is for the use of the Clerk's Office, State Department of  
Assessments and Taxation, and County Finance Office Only.  
(Type or Print in Black Ink Only - All Copies Must Be Legible)

|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------------------|-----------------------|--------------------------------------------------------------|----------------------------|--|
| 1                                                         | Type(s)<br>of Instruments                                                                                                                                                                                                                       | ( <input type="checkbox"/> Check Box if addendum Intake Form is Attached.)                                                                                                         |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | <input checked="" type="checkbox"/> Deed                                                                                                                                           | <input type="checkbox"/> Mortgage                           | <input type="checkbox"/> Other                                        | <input type="checkbox"/> Other                              |                       |                                                              |                            |  |
| 2                                                         | Conveyance Type<br>Check Box                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> Improved Sale<br>Arms-Length [1]                                                                                                               | <input type="checkbox"/> Unimproved Sale<br>Arms-Length [2] | <input type="checkbox"/> Multiple Accounts<br>Arms-Length [3]         | <input type="checkbox"/> Not an Arms-<br>Length Sale [9]    |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | <input type="checkbox"/> Deed of Trust                                                                                                                                             | <input type="checkbox"/> Lease                              | <input checked="" type="checkbox"/> Assignment of Rents               |                                                             |                       |                                                              |                            |  |
| 3                                                         | Tax Exemptions<br>(if applicable)                                                                                                                                                                                                               | Recordation                                                                                                                                                                        |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | State Transfer                                                                                                                                                                     |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
| Cite or Explain Authority                                 |                                                                                                                                                                                                                                                 | County Transfer                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
| 4                                                         | Consideration<br>and Tax<br>Calculations                                                                                                                                                                                                        | Consideration Amount                                                                                                                                                               |                                                             | Finance Office Use Only<br>Transfer and Recordation Tax Consideration |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Purchase Price/Consideration                                                                                                                                                       | \$ 720,000.00                                               | Transfer Tax Consideration                                            | \$                                                          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Any New Mortgage                                                                                                                                                                   | \$ 646,000.00                                               | X ( ) % =                                                             | \$                                                          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Balance of Existing Mortgage                                                                                                                                                       | \$                                                          | Less Exemption Amount                                                 | \$                                                          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Other:                                                                                                                                                                             | \$                                                          | Total Transfer Tax                                                    | \$                                                          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Other:                                                                                                                                                                             | \$                                                          | Recordation Tax Consideration                                         | \$                                                          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Full Cash Value:                                                                                                                                                                   | \$                                                          | X ( ) per \$500 =                                                     | \$                                                          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | TOTAL DUE                                                                                                                                                                          | \$                                                          |                                                                       |                                                             |                       |                                                              |                            |  |
| 5                                                         | Fees                                                                                                                                                                                                                                            | Amount of Fees                                                                                                                                                                     | Doc. 1                                                      | Doc. 2                                                                | Agent:                                                      |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Recording Charge                                                                                                                                                                   | \$ 20.00                                                    | \$ 75.00                                                              |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Surcharge                                                                                                                                                                          | \$ 40.00                                                    | \$ 40.00                                                              | Tax Bill:                                                   |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | State Recordation Tax                                                                                                                                                              | \$ 8,640.00                                                 | \$                                                                    |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | State Transfer Tax                                                                                                                                                                 | \$ 3,600.00                                                 | \$                                                                    | C.B. Credit:                                                |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | County Transfer Tax                                                                                                                                                                | \$ 7,200.00                                                 | \$                                                                    |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Other                                                                                                                                                                              | \$                                                          | \$                                                                    | Ag. Tax/Other:                                              |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Other                                                                                                                                                                              | \$                                                          | \$                                                                    |                                                             |                       |                                                              |                            |  |
| 6                                                         | Description of<br>Property<br>SDAT requires<br>submission of all<br>applicable information.<br>A maximum of 40<br>characters will be<br>indexed in accordance<br>with the priority cited in<br>Real Property Article<br>Section 3-104(g)(3)(i). | District                                                                                                                                                                           | Property Tax ID No. (1)                                     | Grantor Liber/Folio                                                   | Map                                                         | Parcel No.            | Var. LOG                                                     |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | 01                                                                                                                                                                                 | 059718                                                      | 1562 616                                                              | 0106                                                        | 2626                  |                                                              | (5)                        |  |
|                                                           |                                                                                                                                                                                                                                                 | Subdivision Name                                                                                                                                                                   |                                                             | Lot (3a)                                                              | Block (3b)                                                  | Sect/AR (3c)          | Plat Ref.                                                    | SqFt/Acreage (4)           |  |
|                                                           |                                                                                                                                                                                                                                                 | Location/Address of Property Being Conveyed (2)                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | 1006 South Washington Street, Easton, MD 21601                                                                                                                                     |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Other Property Identifiers (if applicable)                                                                                                                                         |                                                             |                                                                       |                                                             |                       | Water Meter Account No.                                      |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Residential <input type="checkbox"/> Or Non-Residential <input type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount: \$ |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Partial Conveyance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred:                                               |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | If Partial Conveyance, List Improvements                                                                                                                                           |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | 7                                                                                                                                                                                  | Transferred<br>From                                         | Doc. 1 - Grantor(s) Name(s)                                           |                                                             |                       | Doc. 2/3 - Grantor(s) Name(s)                                |                            |  |
| CIC FAMILY LIMITED PARTNERSHIP                            |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             | DACOURT PROPERTIES, LLC                                               |                                                             |                       |                                                              |                            |  |
| Doc. 1 - Owner(s) of Record, if Different from Grantor(s) |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             | Doc. 2 Owner(s) of Record, if Different from Grantor(s)               |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
| 8                                                         | Transferred<br>To                                                                                                                                                                                                                               | Doc. 1 - Grantee(s) Name(s)                                                                                                                                                        |                                                             |                                                                       | Doc. 2/3 - Grantee(s) Name(s)                               |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | DACOURT PROPERTIES, LLC                                                                                                                                                            |                                                             |                                                                       | Provident State Bank, Inc.                                  |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | New Owner's (Grantee) Mailing Address                                                                                                                                              |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | 22716 Havercamp Road, Preston, MD 21655                                                                                                                                            |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
| 9                                                         | Other Names<br>to Be Indexed                                                                                                                                                                                                                    | Doc. 1 - Additional Names to be Indexed (Optional)                                                                                                                                 |                                                             |                                                                       | Doc. 2 - Additional Names to be Indexed (Optional)          |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       | Melissa Quirk, John Scaldara and Lauren M. Kimlel, Trustees |                       |                                                              |                            |  |
| 10                                                        | Contact/Mail<br>Information                                                                                                                                                                                                                     | Instrument Submitted By or Contact Person                                                                                                                                          |                                                             |                                                                       |                                                             |                       | <input checked="" type="checkbox"/> Return to Contact Person |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Name: Madison Andrew                                                                                                                                                               |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Firm McAllister, DeTar, Showalter & Walker LLC                                                                                                                                     |                                                             |                                                                       |                                                             |                       | <input type="checkbox"/> Hold for Pickup                     |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Address: 100 N. West Street                                                                                                                                                        |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Easton, MD 21601 Phone: (443) 496-3578                                                                                                                                             |                                                             |                                                                       |                                                             |                       | <input type="checkbox"/> Return Address Provided             |                            |  |
| 11                                                        | Assessment<br>Information                                                                                                                                                                                                                       | IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER                                                                                                     |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Will the property being conveyed be the grantee's principal residence?                                                                                                             |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Does the transfer include personal property? If yes, identify:                                                                                                                     |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Was property surveyed? If Yes, attach copy of survey (if recorded, no copy required).                                                                                              |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 | Assessment use only - Do Not Write Below This Line                                                                                                                                 |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
| Terminal Verification                                     |                                                                                                                                                                                                                                                 | Agricultural Verification                                                                                                                                                          |                                                             | Whole                                                                 |                                                             | Part                  |                                                              | Tran. Process Verification |  |
| Transfer Number                                           |                                                                                                                                                                                                                                                 | Date Received:                                                                                                                                                                     |                                                             | Deed Reference:                                                       |                                                             | Assigned Property No. |                                                              |                            |  |
| Year                                                      | 20                                                                                                                                                                                                                                              | 20                                                                                                                                                                                 |                                                             | Geo.                                                                  | Map                                                         | Sub                   | Block                                                        |                            |  |
| Land                                                      |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             | Zoning                                                                | Grid                                                        | Plat                  | Lot                                                          |                            |  |
| Buildings                                                 |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             | Use                                                                   | Parcel                                                      | Section               | Occ. Cd.                                                     |                            |  |
| Total                                                     |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             | Town Cd.                                                              | Ex. St.                                                     | Ex. Cd.               |                                                              |                            |  |
| REMARKS:                                                  |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |
|                                                           |                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |                                                                       |                                                             |                       |                                                              |                            |  |

Distribution: White - Clerk's Office  
Pink - Office of Finance

Canary - SDAT  
Goldendrod - Preparer

AOC-CC-300(3/2007).

Exhibit 'B'

Town of Easton  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: SMILES      Type: OC    Drawer: 1  
Date: 11/16/22 01    Receipt no: 5413

| Year | Number        | Amount   |
|------|---------------|----------|
| 2022 | 810           |          |
| PZ   | PZ - PAYMENTS | \$700.00 |

MCALLISTER DETAR SHOWALTER &  
WALKER LLC

Tender detail  
CK CHECK                      10139      \$700.00  
Total tendered                      \$700.00  
Total payment                      \$700.00

Trans date: 11/16/22      Time: 8:21:37

THANK YOU FOR YOUR PAYMENT.



# Exhibit 'C'



**Sign posted on November 29, 2022**



# Exhibit 'D'

Date of Hearing: December 20, 2022

## #3B

### Board of Zoning Appeals STAFF REPORT

**SUBJECT:** Special Exception – 838

**ELECTION WARD:** Ward 2

**CRITICAL ACTION DATE:** At the pleasure of the board

**STAFF CONTACT(S):** Nicholas H Johnson, Planner  
Lynn Thomas, Town Planner

**APPLICANT:** Brendan Mullaney of MDSW on behalf of Dacourt Properties LLC

**PURPOSE:** To obtain a special exception allowing the applicant to operate a live-work unit in a residential zoning district (R-10A). The applicant proposes to operate a hair salon on the ground floor and maintain a living space on the second floor.

#### RECOMMENDATION(S):

Staff supports a Board of Zoning Appeals **approval** with the condition that a certificate of occupancy is obtained for a residential dwelling unit.

| APPLICATION INFORMATION:                                                               |                                                                                              |
|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>APPLICANT:</b><br>Dacourt Properties LLC<br>443-786-4863<br>courtneydulin@gmail.com | <b>REPRESENTATIVE:</b><br>Brendan Mullaney<br>MDSW<br>410-820-0250<br>bmullanewy@mdswlaw.com |
| PARCELS/ACREAGE:                                                                       |                                                                                              |
| Parcel Information                                                                     | Square Feet                                                                                  |
| Tax Map 106, Gird 0, Parcel 2626                                                       | 39,100                                                                                       |
| <b>ACCEPTANCE DATE:</b><br>November 15, 2022                                           | <b>LOCATION:</b><br>1006 S Washington Street                                                 |
| <b>EXISTING ZONING</b><br>R-10A                                                        | <b>EXISTING LAND USE:</b><br>Vacant Office                                                   |
| <b>HISTORIC DISTRICT:</b><br>No                                                        | <b>FUTURE LAND USE:</b><br>Residential                                                       |

**CONTEXT:**

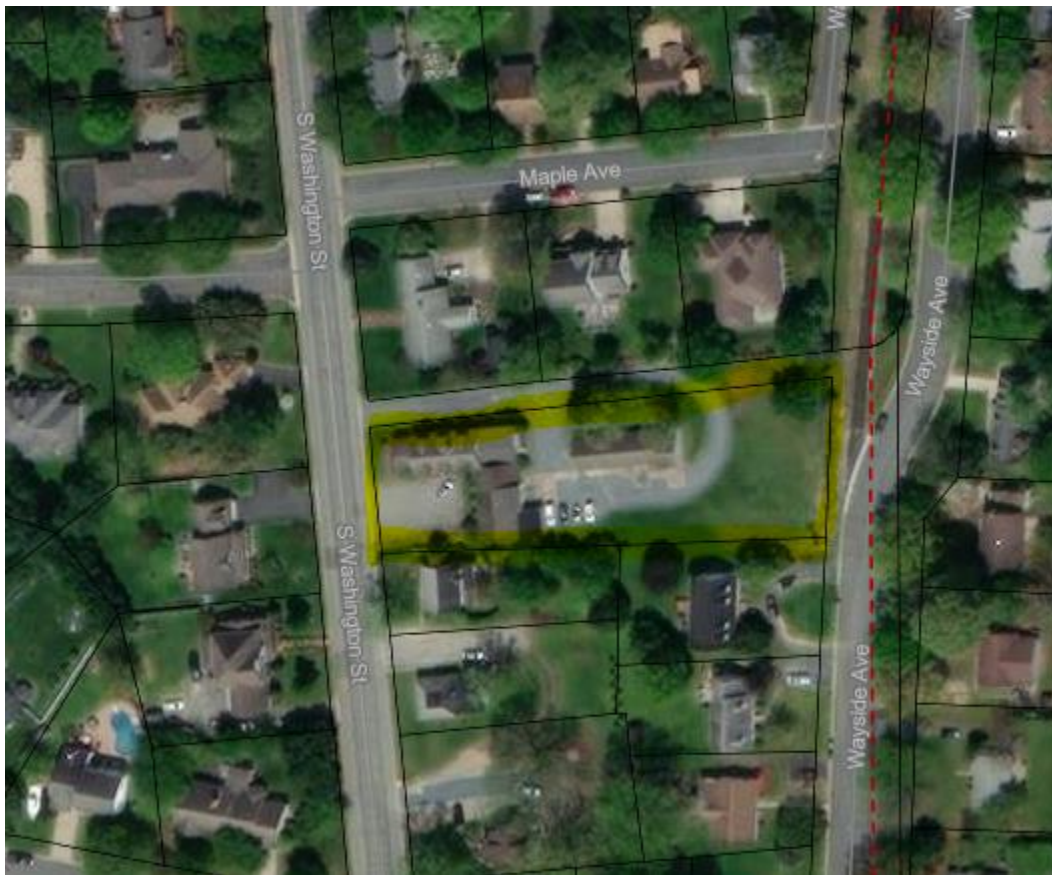
Location/Site Access – The subject property is located on the southern end of Washington Street, a few blocks south of Idlewild Park. The rear gravel parking lot is accessed via a 20-foot-wide right-of-way referred to as Willow Lane. There is also a paved parking lot in the front that is accessed directly from S Washington Street.

Existing Conditions – Vacant former law office with a second story residential space. There is also a one-story building in the back yard.

Surrounding Properties

1004 S Washington Street – R-10A  
304 Maple Avenue – R-10A  
306 Maple Avenue – R-10A  
1008 S Washington Street – R-10A  
719 Wayside Avenue – R-10A

**Figure 1: Vicinity Map**





**PROPOSAL:** The applicant is seeking to obtain a Special Exception from the following sections of the Zoning Ordinance: §28-201 Permitted Uses (Table 2.1 (6) (608)) to allow a live-work unit in the R-10A zone. The scope of work consists of interior renovations to an existing vacant unit.

**BACKGROUND:**

In 2007, Special Exception-700 was obtained to allow a law office to be operated on this property. A building permit was then obtained to remodel the structure and add a new means of egress to the second story. In this building permit, a letter from the Building Inspection Department dated October 16 2007 is included which states “the project owner shall provide a certified affidavit that the second floor will not be used as a residential dwelling.” Since that time, there is no evidence that the second floor has ever been used as a residential dwelling unit and the first floor has been used as a law office.

**ZONING ANALYSIS:**

28-114 Definitions

Live-Work Units (flexhouses) – a mixed-use building type that integrates a residential unit as well as a separate flex space, accommodating a range of nonresidential uses.

**Analysis:** The proposed use may meet the Zoning Ordinance’s definition of a live-work unit if they can provide a residential unit on the second floor. Since the second floor has not historically been used as a residential unit and the letter from the Building Department clearly states “the second floor shall not be used as a residential dwelling”, approval should be conditioned upon the provision of a residential dwelling unit.

28-201 Table 2.1 (1) 103.9 & (6) 608: R-10A

|       |                  |    |    |    |    |   |
|-------|------------------|----|----|----|----|---|
| 103.9 | Live-work units* | P  | P  | P  | P  | P |
| 608   | Live-Work Unit   | -- | SE | SE | SE | P |

**Analysis:** Live-work unit shows up two times in the table of permitted uses. The first time (under the residential section) it is permitted by right subject to supplemental standards. The second time (under miscellaneous/combination/hybrid uses) is allowed by special exception with no supplemental standards.

28-1007.1 (13). g

15. The ground floor and upper floor spaces shall establish the greater of a two hour fire separation or the requirement of the Town of Easton Building Code.

**Analysis:** This live-work unit cannot move forward as a “by right” approval because the applicant is unsure whether the building meets the supplemental standard on fire separation.

**POLICY ANALYSIS (SPECIAL EXCEPTION):**

**a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located;**

The structure, currently meets the Zoning Ordinance's setback, height, lot coverage, and density requirements.

**b. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;**

The proposed use should not have any adverse effects on health, safety, and general welfare since this structure has been used as an office for 15 years without any documented issues.

**c. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;**

This use should not interfere with the adequate provision of public facilities since the property has previously been used in a similar fashion with not documented issues.

**d. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;**

Adequate parking has been provided on site in the front paved parking lot and the rear gravel lot.

**e. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;**

There should be no changes to the property causing any adverse environmental conditions.

**f. the proposed use will not adversely affect the established character of the area.**

This use should not affect the established character of the area since the building was designed to house an office and already includes a large paved parking area.

**g. the proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.**



The comprehensive plan's future land use shows this parcel being residential which is consistent with the proposed use. The Comprehensive plan also emphasizes neighborhood-scale retail and mixed-use which this project provides.

RECCOMENDED CONDITION

1. Approval is conditioned upon the applicant obtaining a certificate of occupancy for a residential dwelling unit on the second floor of the main structure.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals approve SE-838 with the staff's recommended condition.

OR

2. I move that the Board of Zoning Appeals deny SE-838.

OR

3. I move an alternate motion.

# Exhibit 'E'

**APG Media of Chesapeake, LLC**  
**29088 Airpark Drive**  
**Easton, MD 21601**

**11/22/22**

Phone: Fax:  
<http://www.chespub.com>

|                                               |                                |
|-----------------------------------------------|--------------------------------|
| Cust. AcctID: <b>1001355</b>                  | Creation Date: <b>11/22/22</b> |
|                                               | Ad Date: <b>12/04/22</b>       |
|                                               | Class: <b>10</b>               |
| Name: <b>Joanne Drummer</b>                   | Ad ID: <b>3006375</b>          |
| Company: <b>TOWN OF EASTON (L)</b>            | Ad Taker: <b>AHALL</b>         |
| Address: <b>PO Box 520</b>                    | Sales Person: <b>503</b>       |
| <b>EASTON, MD 21601</b>                       | Words: <b>153</b>              |
|                                               | Lines: <b>17</b>               |
| Telephone: <b>(410) 822-2525</b>              | Agate Lines: <b>60</b>         |
| Email:                                        | Depth: <b>2.5</b>              |
| Description: <b>Application SE-838/SE-22-</b> | Inserts: <b>2</b>              |
|                                               | Blind Box:                     |

|                |               |              |                 |
|----------------|---------------|--------------|-----------------|
| Other Charges: | <b>\$0.00</b> | Total:       | <b>\$87.50</b>  |
| Discount:      | <b>\$0.00</b> |              |                 |
| Surcharge:     | <b>\$0.00</b> | Paid Amount: | <b>- \$0.00</b> |
| Credits:       | <b>\$0.00</b> |              |                 |
| Bill Depth:    | <b>2.5</b>    | Amount Due:  | <b>\$87.50</b>  |

## CREDIT CARD DETAILS

| PT                | CT       | CN       | Number  | Exp.           | Amnt. |
|-------------------|----------|----------|---------|----------------|-------|
|                   |          |          |         |                |       |
| Publication       | Start    | Stop     | Inserts | Cost           |       |
| The Star Democrat | 12/04/22 | 12/04/22 | 1       | <b>\$87.50</b> |       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>NOTICE</p> <p>Notice is hereby given that Brendan Mullaney on behalf of Dacourt Properties, LLC has filed Application SE-838 / SE-22-18, pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for a Live-Work Unit (flexhouse), use (1) 103.9 in Table 2.1 of Section 28-201 to be utilized as a Live-Work Unit in a R-10A zoning district.</p> <p>The property is located at 1006 S. Washington Street, Easton, Maryland and is situated in the R-10A - Residential District. The property is owned by Dacourt Properties, LLC. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on December 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.</p> <p>EASTON BOARD OF ZONING APPEALS</p> <p>3006375 SD 12/4/2022</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Ad Note:

Customer Note:

*We Appreciate Your Business!*  
*Thank You Joanne Drummer!*



# Exhibit 'F'



## **TOWN OF EASTON**

### **Planning & Zoning Department**

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

### **NOTICE OF APPLICATION SUMMARY**

**2022-12-20**

**SE-22-18**

**Applicant notified of hearing date:** Email: 2022-12-01

**400' Notices Distributed:** 2022-12-01

**Advertisement sent to the Star Democrat:** 2022-11-22 – 28 days

**Advertisement run in Star Democrat:** 2022-12-04 – 16 days

**Property posted with sign:** 2022-11-29 – 21 days

**Exhibit A:** Application – 2022-11-15 – 35 days

**Exhibit B:** Paid Receipt – 2022-11-15 – 35 days

**Exhibit C:** Picture of Sign Posting – 2022-11-29 – 21 days

**Exhibit D:** Staff Report – 2022-12-08 – 12 days

**Exhibit E:** Confirmation from Star Democrat – 2022-11-22– 28 days

**Exhibit F:** Notices

NOTICE

Notice is hereby given that Brendan Mullaney on behalf of Dacourt Properties, LLC has filed Application SE-838 / SE-22-18, pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for a Live-Work Unit (flexhouse), use (1) 103.9 in Table 2.1 of Section 28-201 to be utilized as a Live-Work Unit in a R-10A zoning district.

The property is located at 1006 S. Washington Street, Easton, Maryland and is situated in the R-10A – Residential District. The property is owned by Dacourt Properties, LLC. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on December 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.





## TOWN OF EASTON

P.O. Box 520  
Easton, Maryland 21601

December 1, 2022

Mr. Brendan Mullaney, MDSW  
100 N. West Street  
Easton, MD 21601

Re: Application No. SE-838/SE 22-18  
Tax Map 106 Parcel 2626  
1006 S. Washington Street  
Easton, MD 21601

Mr. Mullaney,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, December 20th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton.

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

**Samantha N. Smith**  
Administrative Specialist  
Planning and Zoning Department  
Town of Easton  
410-822-1943  
[ssmith@eastonMD.gov](mailto:ssmith@eastonMD.gov)





## TOWN OF EASTON

14 South Harrison Street  
Easton, Maryland 21601

December 1, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, December 20, 2022 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov>.

This letter is sent to inform you that an application for 1006 S. Washington Street has been filed for a special exception for a Live-Work Unit (flexhouse), use (1) 103.9 in Table 2.1 of Section 28-201 to be utilized as a Live-Work Unit in a R-10A zoning district.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at [ssmith@eastonmd.gov](mailto:ssmith@eastonmd.gov).

**Samantha N. Smith**  
Administrative Specialist  
Planning & Zoning Department  
Town of Easton  
410-822-1943  
[ssmith@eastonMD.gov](mailto:ssmith@eastonMD.gov)