2nd Preliminary Consultation MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 22200 Clarksburg Road, Clarksburg Meeting Date: 7/15/2020

Resource: Master Plan Site #13/25 **Report Date:** 7/8/2020

Cephas Summers House

Public Notice: 7/1/2020

Applicant: Pulte Homes

(Bob Harris, Agent) Tax Credit: N/A

Review: 2nd Preliminary Consultation **Staff:** Michael Kyne

Case Number: N/A

PROPOSAL: Discussion of rehabilitation

STAFF RECOMMENDATION:

Staff recommends that the applicants make any revisions based upon the HPC's comments and return with a HAWP application or for a third preliminary consultation, per the HPC's recommendation.

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Master Plan Site #13/25, Cephas Summers House

STYLE: Greek Revival DATE: c. 1850-60

Excerpt from *Places from the Past*:

One of the earliest houses from a Clarksburg area farm, the Cephas Summers House is a Greek Revival influenced house which retains many of its original features. The 3-bay house has a low-sloped, side-gable roof with cornice returns, 6/6 sash windows with wide frieze lintels, and classical porch columns. In 1850, Cephas and Mary Ann Summers acquired the 235-acre farm, which they owned until the early 1890s. The residence, as described in 1968, had eight rooms, including four bedrooms, no bathroom, a dirt floor basement, and was heated by coal stoves. The farmstead includes a frame corncrib and two sheds. The bank barn collapsed in the 1970s.



Fig. 1: Subject property, as marked by the blue star.

BACKGROUND:

The applicants previously appeared before the Commission for a preliminary consultation at the May 27, 2020 HPC meeting.¹

PROPOSAL:

The applicants propose demolition of the Cephas Summers House.

APPLICABLE GUIDELINES:

In accordance with section 1.5 of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97) ("Regulations"), in developing its decision when reviewing a Historic Area Work Permit application for an undertaking at a Master Plan site the Commission uses section 24A-8 of the Montgomery County Code ("Chapter 24A"), the Secretary of the Interior's Standards for Rehabilitation ("Standards"), and pertinent guidance in applicable master plans. In this case, the Ten Mile Creek Area Limited Amendment (Amendment) should be used. This is a limited amendment to the 1994 Clarksburg Master Plan and Hyattstown Special Study Area amendment. The pertinent information in these documents, incorporated in their entirety by reference herein, is outlined below.

Montgomery County Code; Chapter 24A-8

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement

¹ Link to May 27, 2020 HPC meeting audio/video transcript: http://mncppc.granicus.com/MediaPlayer.php?publish_id=1e46bdfa-a0fc-11ea-9e08-0050569183fa Link to May 27, 2020 preliminary consultation staff report: https://montgomeryplanning.org/wp-content/uploads/2020/05/II.E-22200-Clarksburg-Road-Clarksburg.pdf

- or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to ensure conformity with the purposes and requirements of this chapter, if it finds that:
 - (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
 - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
 - (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
 - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
 - (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
 - (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.

Ten Mile Creek Area Limited Amendment (Approved and Adopted July 2014)

The Land Use and Zoning recommendations for the Pulte and King properties west of I-270 state the following regarding the Cephas Summers House:

The Cephas-Summers House, a locally-designated historic resource, is located on the property proposed for development along Clarksburg Road. The current environmental setting includes the whole property, but could be reduced to approximately five acres as part of the proposed development. The house should be restored and become part of the adjacent development.

The *Amendment* also states that the following should be addressed when implementing the Rural Open Space Design Guidelines as part of the development review process for these properties:

Size and locate lots to preserve rural views from Clarksburg Road and ensure an environmental setting of five acres for the historic Cephas-Summers house. Include restoration of the Cephas-Summers house in a development plan.

Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values." Because the property is a Master Plan Site, the Commission's focus in reviewing the proposal should be the *Secretary of the Interior's Standards for Rehabilitation*. The *Standards* are as follows:

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3. 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 undertaken.
- 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION:

At the May 27, 2020 preliminary consultation, the Commission recommended the following:

• While regrettable, the majority found that the demolition of the Cephas Summers House is inevitable, due to decades of deferred maintenance and the resulting severe deterioration.

- The majority found that a financial contribution dedicated to historic preservation in Montgomery County and/or interpretation of the Cephas Summers House is likely the best outcome, given the information in the submitted conditions assessment and structural evaluation reports.
- It was suggested that the complete reconstruction of historic buildings is appropriate when the buildings are particularly significant (i.e., a site of historic or cultural significance, or an exceptional architectural example).
- The majority found that the amount of the proposal financial contribution (\$151,916.09 plus an additional approximately \$25,000 for protection/interpretation of the site) is too low. The consensus was that the financial contribution should be rather substantial, and that it should be the cost of the complete restoration of the house, not just the cost of reconstructing the exterior shell. In order to attain an accurate valuation, it was suggested that the HPC require competing estimates from multiple independent parties.
- The rebuilding of the Cephas Summers House is still an option for consideration. This option complies with relevant Master Plan guidance and would conform to the general direction of Chapter 24A and the Secretary of the Interior's Standards.
- Before determining the appropriate means of interpretation, it was suggested that the Commission determine if the Montgomery County Department of Parks will accept the site.
- Specific ideas for interpretation and/or mitigation included:
 - o Preservation of the environmental setting as a park, with historic interpretation and the house's foundation intact.
 - The proposed financial contribution come under direction of the HPC, and be called The Cephas Summers Fund, as a reminder that demolition by neglect is not condoned by the HPC.
- Minority opinions and/or suggestions included:
 - The house should be restored to a habitable condition, salvaging existing/original materials, where possible.
 - Basing the amount of the financial contribution on the annual property taxes (cited by the speaking Commissioner during the meeting as \$69,000) multiplied by the number of years that the property has been owned by the current owners with deferred maintenance. The suggestion was that this cost would exceed \$1 million.
 - o If the house is allowed to be demolished, reducing the environmental setting to 0, so that the property would have to come before the County Council, making them aware of what happened at the site and the problem of demolition by neglect.

The applicants have returned with the following information in response to the Commission's recommendations:

• The applicants have provided reconstruction plans for Cephas Summers House as well as a detailed cost analysis.

- The adjusted cost is \$224,346.09, accounting for the HPC's previous comments.
- Based upon the adjusted cost, the applicants propose a financial contribution of \$225,000 to be used for historic preservation purposes as deemed appropriate by the HPC.
- In addition to this contribution, the applicants propose to retain the house's foundation, clear the site of debris and invasive vegetation, and work with HPC staff to provide an appropriate historical marker and interpretive information for the former house.
- If Department of Parks will not accept the historic site as part of the future park, the applicants propose to reduce the environmental setting to the smallest possible area in order to allow more land for parkland dedication.
- If the Department of Parks will accept the site, the setting could be reduced either to 10 acres or to 5 acres, as reflected in the submitted plans.
- The applicants wish to correct the record regarding the annual property taxes multiplied by the number of years the applicants have owned the property.
 - O Based upon the submitted 2019 tax bill and the current State Department of Assessments and Taxation tax record, the annual property taxes are \$15,000. Multiplied by the number of years the applicants have owned the property (15 years), the applicants have arrived at an appropriate financial contribution (based upon this previously suggested method of calculation) of \$225,000.
- The submitted SDAT records reflect that the house on the property has been assigned a nominal value of only \$700, reflecting its extremely dilapidated and uninhabitable condition.

Staff asks the Commission to consider the additional submitted information and be prepared to further discuss appropriate options for demolition and mitigation. Specific topics to consider include:

- Is reconstruction per the submitted plans and elevations appropriate, or does the Commission continue to find reconstruction a relevant option for this site?
- If a financial contribution is the more appropriate form of mitigation, is \$225,000 an appropriate amount?
- What is the appropriate environmental setting for the site?
- What is an appropriate minimal environmental setting, if the Department of Parks will not accept the site?
- Is a 5- or 10-acre environmental setting, or another size more appropriate, if the Department of Parks will accept the site?

STAFF RECOMMENDATION:

Staff recommends that the applicants make any revisions based upon the HPC's comments and return with a HAWP application or for a third preliminary consultation, per the HPC's recommendation.

Kyne, Michael

From: Titman, Dorothy R. <drtitman@lerchearly.com>

Sent: Monday, June 29, 2020 2:59 PM

To: Ballo, Rebeccah

Cc: Kyne, Michael; david.demarco@pultegroup.com; Harris, Robert R. **Subject:** ON BEHALF OF ROBERT HARRIS/Cephas Summers House (Revised)

Attachments: Copy of Cephas Summers House - Budget - Comparison 061120.xlsx; 19-087 CEPHAS SUMMERS

ARCHITECTURE_6_10_2020.pdf; 10 ACRE PROPERTY EXHIBIT 062320.pdf; 5 ACRE PROPERTY EXHIBIT

062320.pdf; SDAT and 2019 Tax Bill.pdf

Rebeccah, on behalf of Pulte Homes, I want to thank you and the Historic Preservation Commission for working with us with respect to the Cephas Summers House. The meeting we had with the HPC on May 27, and the resulting Preliminary Consultation Report issued a few days later, have guided us in preparing the requested documentation for a potential demolition of the house subject to an alternative accommodation. We appreciate the recognition that demolition of the house is inevitable due to decades of deterioration, and that a financial contribution dedicated to historic preservation and interpretation is the best outcome.

As we discussed with you after the Preliminary Consultation, we are submitting a set of typical plans that would be used were the house to be reconstructed, along with a detailed cost analysis for such work. This cost analysis reflects changes recommended by you and the HPC. The adjusted cost is \$224,346.09, reflecting the higher degree of work we discussed with you. We would like to meet with the HPC at their earliest possible meeting in order to review this revision and our proposed contribution of \$225,000, to be used for historic preservation purposes as deemed appropriate by the HPC. In addition to this contribution, once the house is demolished, Pulte will leave the remaining foundation, clear the grounds of debris and invasive vegetation, and work with HPC staff to provide an appropriate historical marker and interpretive information for the former house. In connection with this future use, unless the Parks Department will accept the historic site as part of the future park, we would like to reduce the setting to the smallest possible area in order to allow more land for parkland dedication. Alternatively, if they will accept the land dedication, the setting could be reduced either to 10 acres or to 5 acres as reflected in the attached drawings. In either case, the setting would then be surrounded by park area dedicated to the Maryland National Capital Park and Planning Commission plus open space protected by a conservation easement.

We also want to correct the record in this matter in one respect. The Preliminary Consultation Report references a discussion at the meeting that an appropriate financial contribution might be based on the annual property taxes on the property multiplied by the number of years Pulte has owned it. I am attaching for you the 2019 tax bill and the current State Department of Assessments and Taxation tax record. This shows the basis for the annual taxes and the 15 years during which Pulte (Shiloh Farm Investments LLC) has owned the property. The taxes are not \$69,000 per year but rather \$15,000 which, multiplied by the 15 years, coincidentally comes out to \$225,000. One further note is that the SDAT records reflect that the house on the property has been assigned a nominal value of only \$700, reflecting its extremely dilapidated and uninhabitable condition.

We look forward to working with you further in what we believe is the most appropriate manner.

Bob

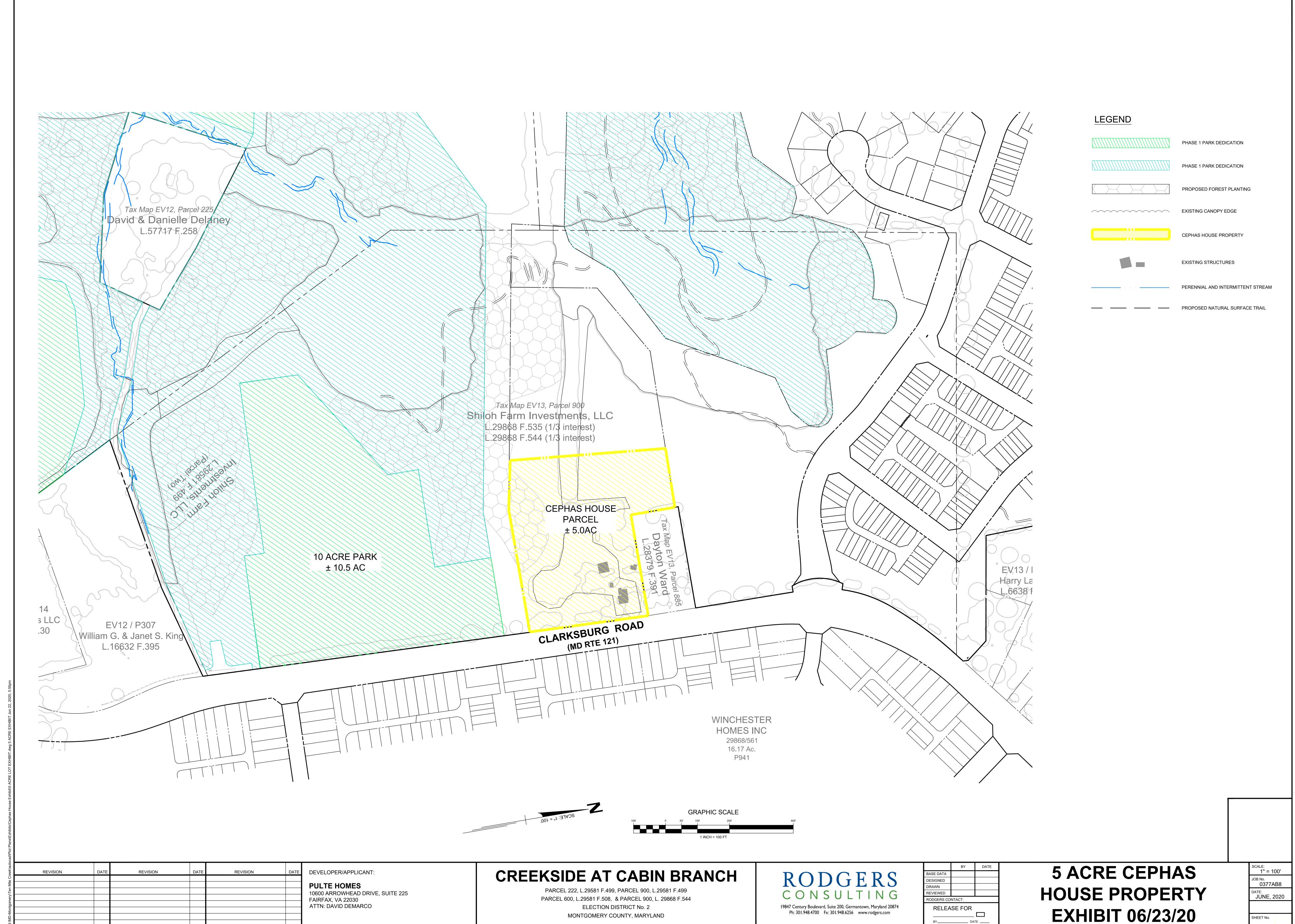
Robert R. Harris, Attorney

Lerch, Early & Brewer, Chtd. rise to every challenge 7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814 T 301-841-3826 | F 301-347-1779 | Cell 301-580-1319 rrharris@lerchearly.com | Bio

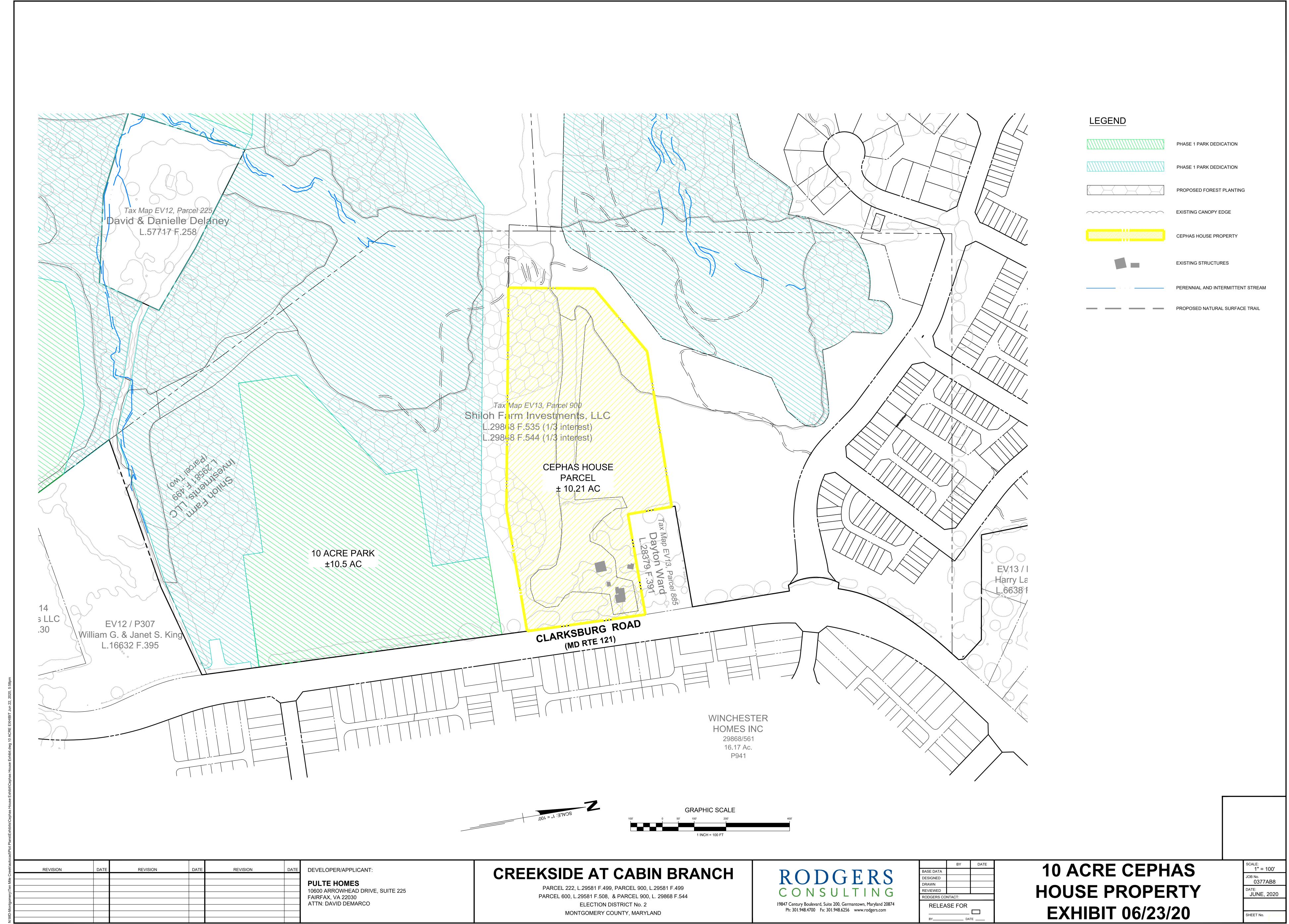
Lerch Early COVID-19 Resource Center

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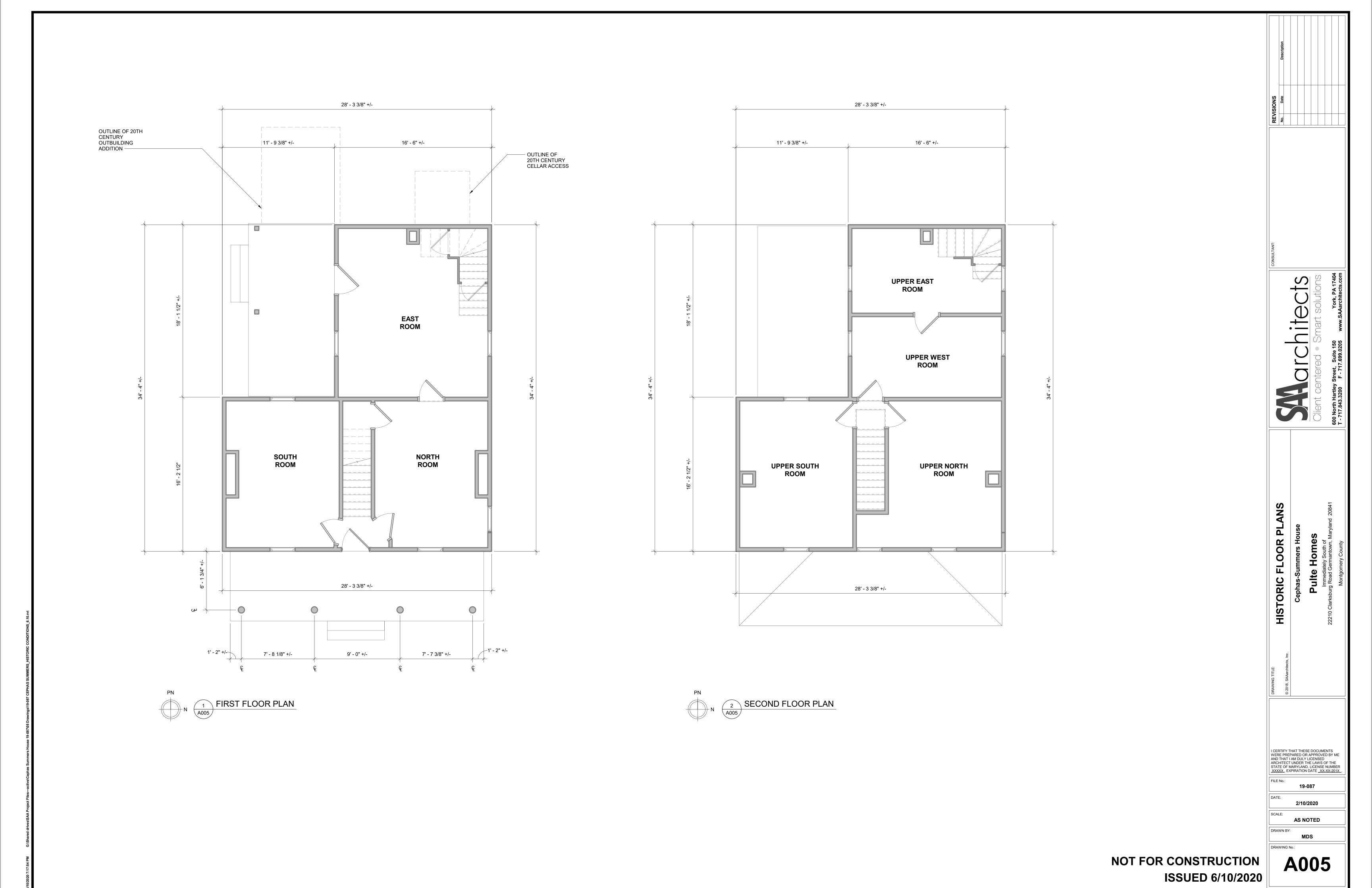


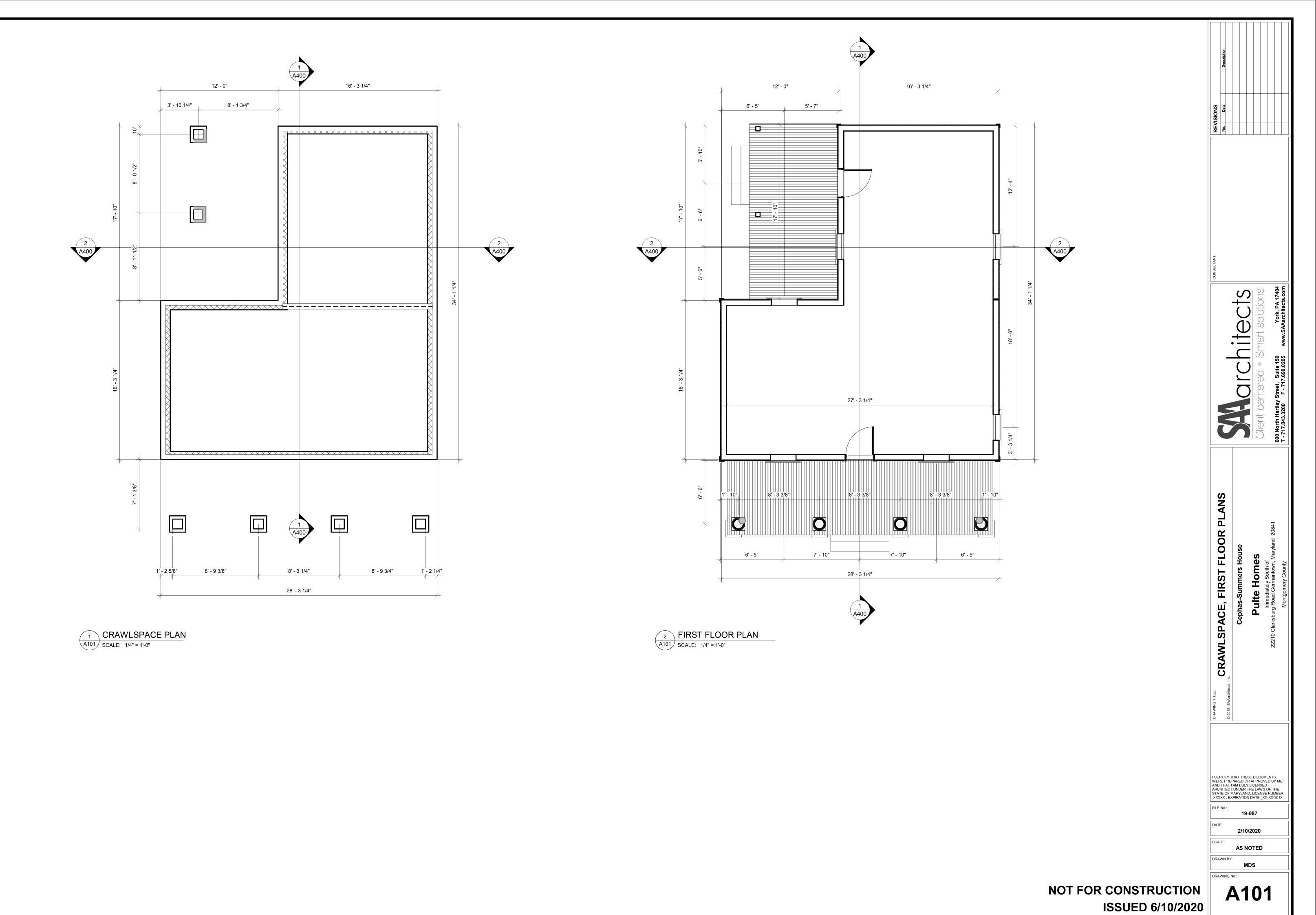
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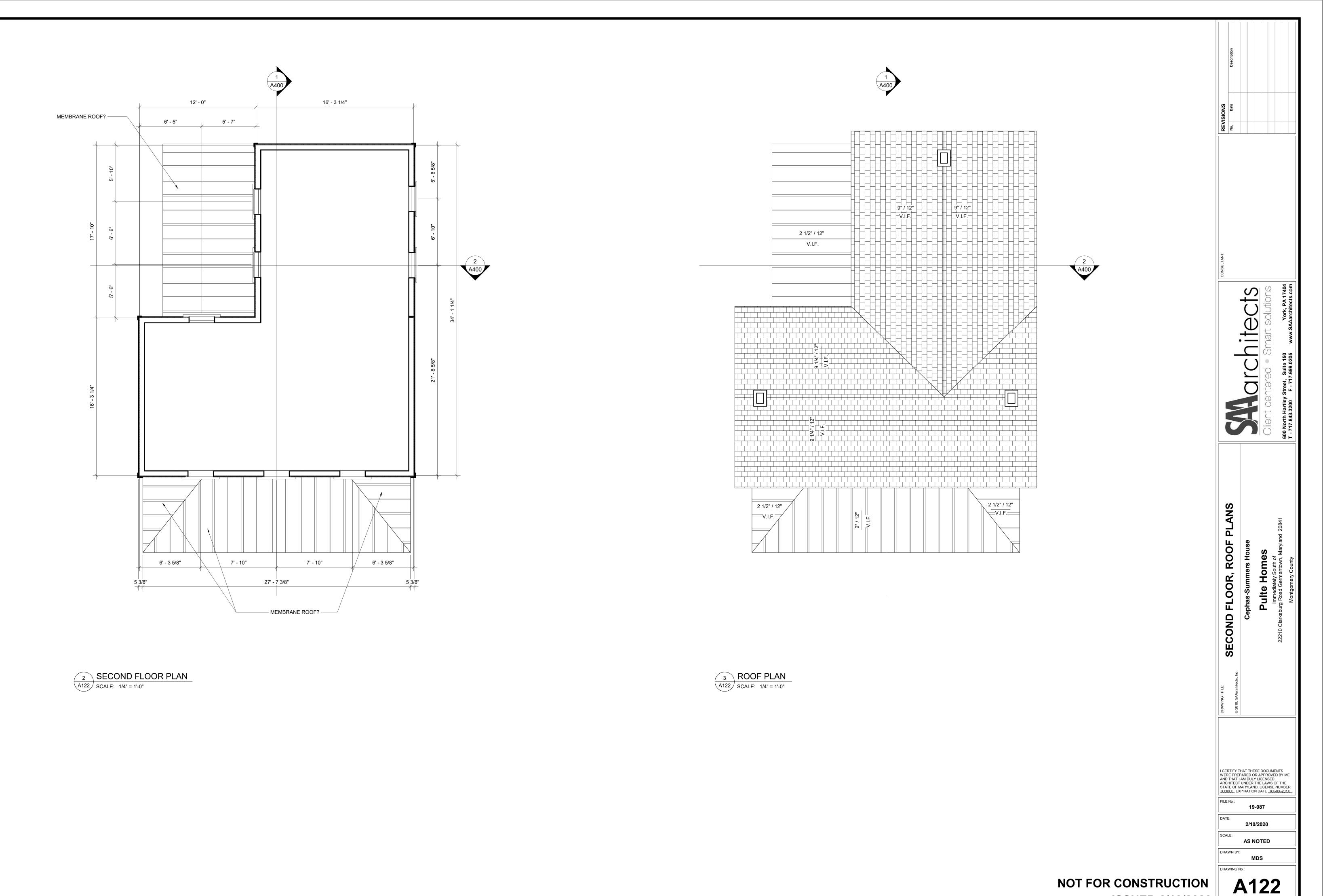


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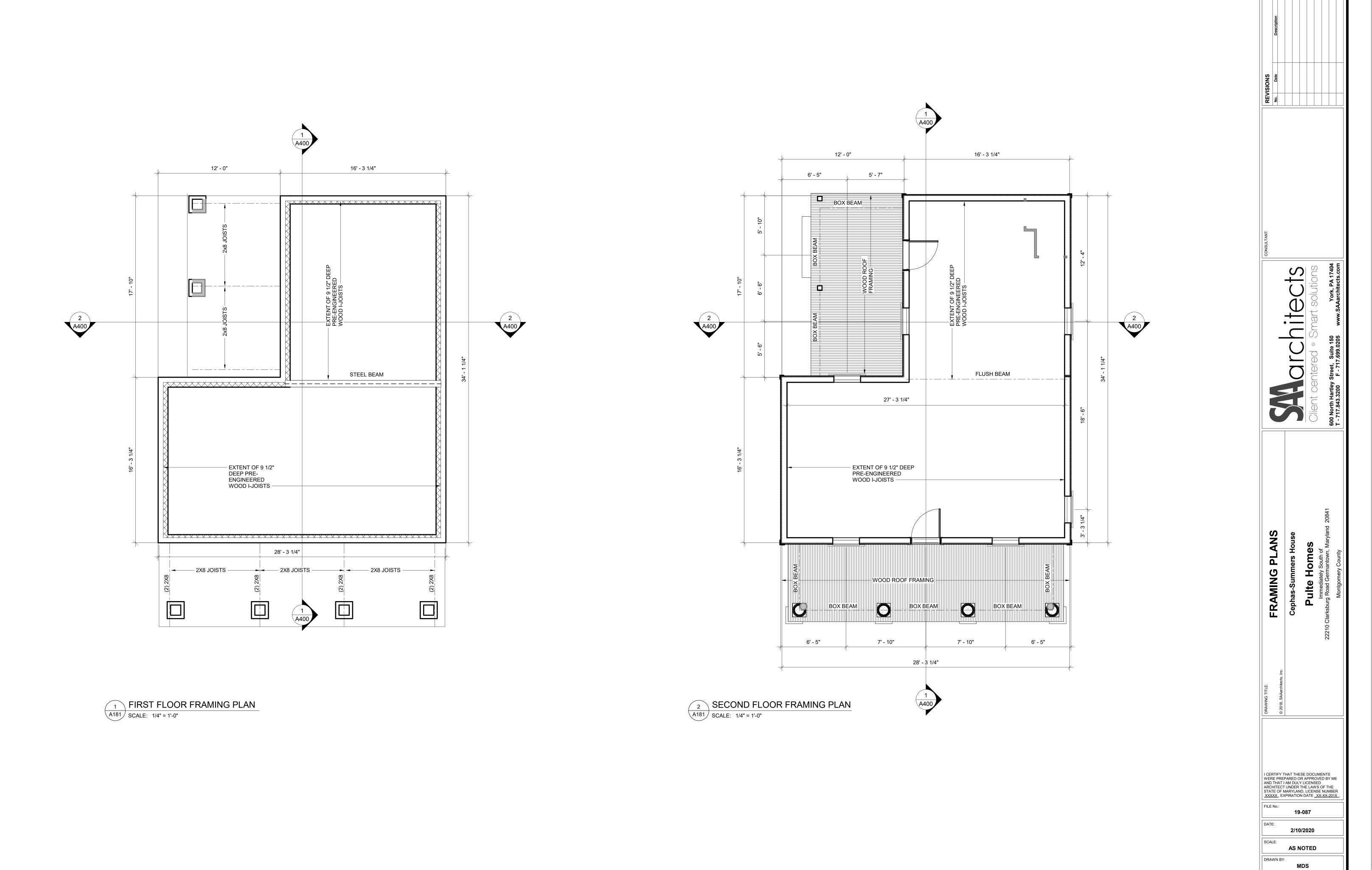






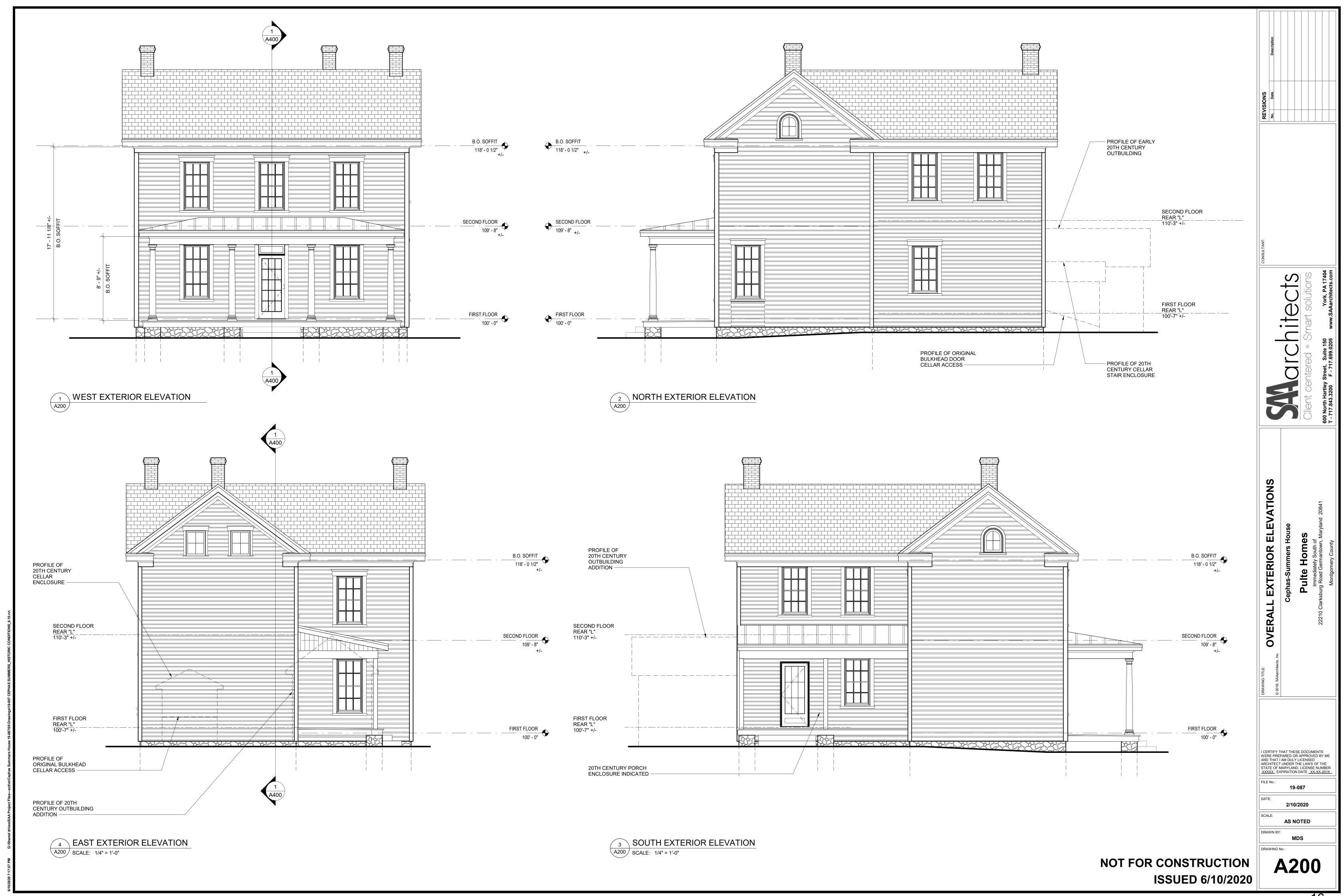
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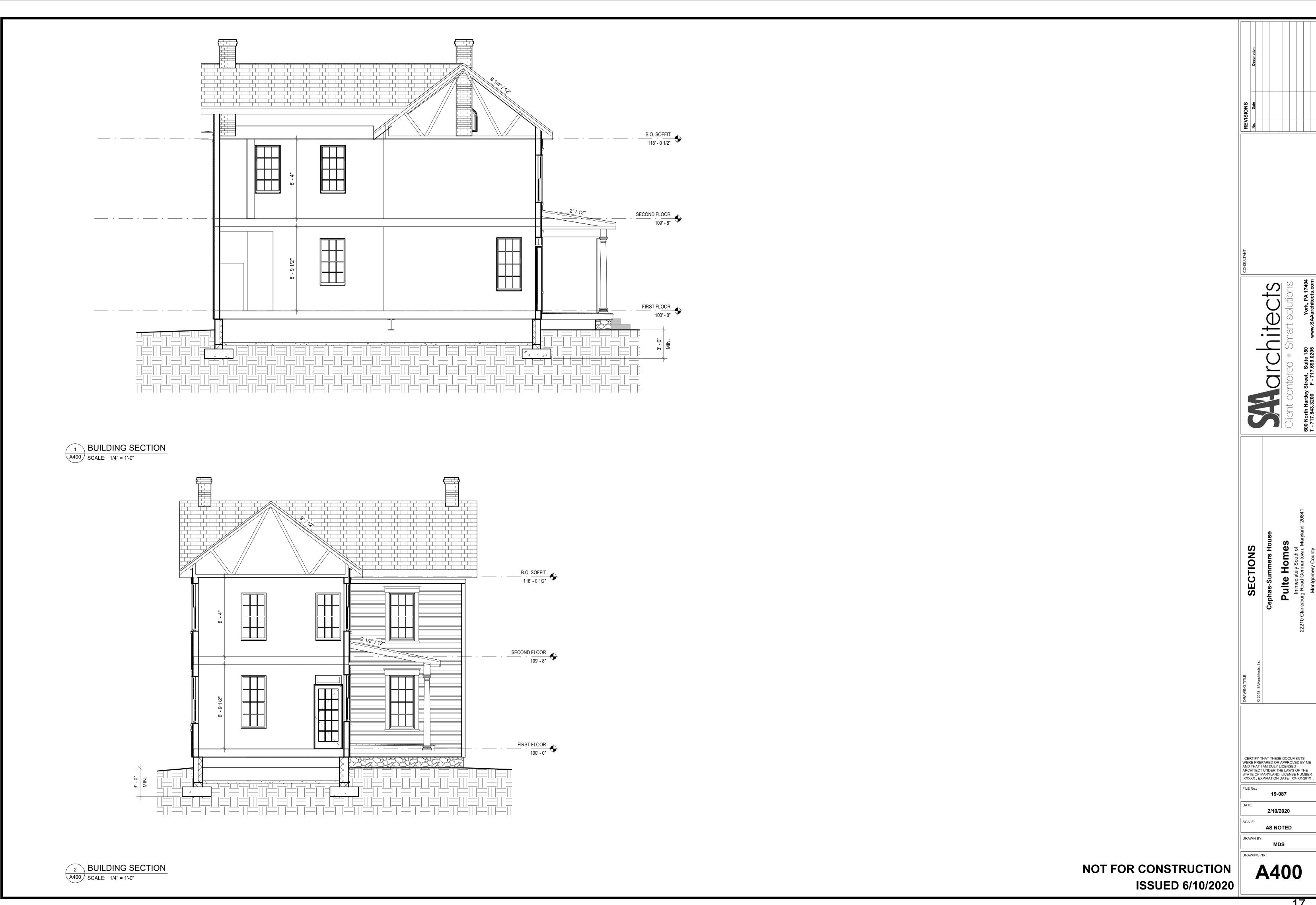
ISSUED 6/10/2020



NOT FOR CONSTRUCTION ISSUED 6/10/2020

A181





	Cepha	s Summers House v.1
Asphalt Driveway and Parking	\$	2,400.00
Brick	\$	10,500.00
Building Wrap	\$	1,100.00
Construction Cleans		0
Construction Contingency - 5%	\$	8,700.00
Demolition (historic salvage wherever possible)	\$	20,000.00
Door Hardware	\$	150.00
Drywall - Labor		0
Drywall - Material		0
Dumpster and Erosion	\$	2,000.00
Electric		0
Engineer - Surveys	\$	1,170.00
Excavating	\$	400.00
Exterior Door Labor - 1	\$	237.00
Exterior Doors - Material	\$	735.59
Exterior Gutters	\$	501.00
Exterior Trim - Labor	\$	790.00
Exterior Trim - Materials	\$	650.00
Fire Sprinkler	\$	-
Flatwork - All In	\$	1,155.00
Flooring - Vinyl	\$	-
Foundation - Stone	\$	1,500.00
Foundation - Termite Proofing	\$	100.00
Foundation Footing - All In	\$	3,500.00
Foundation Slab	\$	8,100.00
Foundation Walls - All In	\$	5,900.00
Found-WaterProof/DampProof/Par	\$	717.50
Grading - Final	\$	600.00
Hardware - Minimal	\$	-
HVAC	\$	-
Inspections	\$	1,465.00
Insulation - All In	\$	2,895.00
Interior Trim - Minimal	\$	-
Labor/Overhead	\$	5,000.00
Landscaping - Plants	\$	800.00
Lumber	\$	22,000.00
Paint Exterior - Labor	\$	900.00
Paint Interior	\$	-
Permits and Fee's (Montgomery County)	\$	11,618.00
Plumbing - Pedestal/Toilets in baths	\$	-
Roofing - Labor	\$	5,500.00
Roofing - Materials - Metal	\$	9,500.00
Rough Carpentry - Labor	\$	9,000.00
Septic (estimate)	\$	-
Siding - All In	\$	5,200.00
		·

Structural Steel	\$ 1,000.00
Temporary Drive	\$ 450.00
Windows - Labor	\$ 572.00
Windows - Material	\$ 5,110.00
Total	\$ 151,916.09

	Cephas Summers House v.2	Variance		
\$	4,500.00	\$	2,100.00	
\$	13,500.00	\$	3,000.00	
\$	1,100.00	\$	-	
\$	1,000.00	\$	1,000.00	
\$	10,850.00	\$	2,150.00	
\$	20,000.00	\$	-	
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\$	735.59	\$	-	
\$	501.00	\$	-	
\$	790.00	\$	-	
\$	650.00	\$	-	
\$	2,000.00	\$	2,000.00	
\$	1,155.00	\$		
\$	1,900.00	\$	1,900.00	
\$	2,500.00	\$	1,000.00	
\$	100.00	\$	-	
\$	4,700.00	\$	1,200.00	
\$	8,100.00	\$	-	
\$	5,900.00	\$	-	
\$	717.50	\$	-	
\$	600.00	\$	-	
\$	750.00	\$	750.00	
\$	9,400.00	\$	9,400.00	
\$	1,465.00	\$	-	
\$	2,895.00	\$ \$ \$ \$	-	
\$	950.00	\$	950.00	
\$	7,500.00	\$	2,500.00	
\$	800.00	\$	-	
\$	29,000.00	\$	7,000.00	
\$	900.00	\$	-	
\$	2,000.00	\$ \$	2,000.00	
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\$	9,400.00	\$ \$ \$ \$ \$	9,400.00	
\$	5,500.00	\$	-	
\$	7,500.00	\$	(2,000.00)	
\$	12,000.00	\$	3,000.00	
\$	6,500.00	\$	6,500.00	
\$	7,200.00	\$	2,000.00	

	_	1
\$ 1,000.00	\$	-
\$ 950.00	\$	500.00
\$ 952.00	\$	380.00
\$ 7,110.00	\$	2,000.00
\$ 224,346.09	\$	72,430.00

Notes
Accounted for more significant driveway and extra parking
3 full FP on the inside as well
Finished interior space will need cleans
Additional cost
New
New
New
New
New
Additional base if thickend slab is necessary for interior structure
Additional base if thickend slab is necessary for interior structure
New
New
New
More oversight with finishes included
Finish interior space with full walls
New
New
Used actual takeoff at 1100 sqft. I kept the labor as mobilization will stay the same
Used actual takeoff at 1100 sqft.
Finish interior space with full walls
New
Accouting for full wood grain hardi with tight reveal.

Temp drive at the larger DW for additional parking and

Based on full PCS install and finish vs. what would be done for a shell.

Based on full PCS install and finish vs. what would be done for a shell. Included color if needed

Real Property Data Search (w1)

Search Result for MONTGOMERY COUNTY

View Map View GroundRent Redemption			View GroundRent Registration			
Special Tax Recapture	e: None					
Account Identifier:	District - 02 Acc	ount Number - 0001				
O		Owner Informatio				IMPEGET II
Owner Name:	SHILOH FARM II LLC	NVESTMENTS	Use: Principal Residence	a•	RESIDENTIAL NO	
Mailing Address:	9302 LEE HIGHV FAIRFAX VA 220		Deed Refe		/29868/ 00544	
		ation & Structure Info	ormation		•	
Premises Address:	22200 CLARKSE BOYDS 20720-0		Legal Des	cription:	GRANDMOTH GOODWIL L	ERS
Map: Grid: Parcel: EV13 0000 P900	Neighborhood: Sub 2010001.16 000	division: Section	: Block:	Lot: As: 201	sessment Year:	Plat No: Plat Ref:
Town: None						
Primary Structure Bui	ilt Above Grade Living	Area Finished Ba	sement A		erty Land Area	County Use
Stories Basement	Type Exterior Quali	ty Full/Half Bath	Garage		ce of Major Imp	
		Value Information	n			
	Base Value	Value		Phase-in A	ssessments	
		As of 01/01/2019)	As of 07/01/2019	As of 07/01	/2020
Land:	1,329,800	1,329,800				
Improvements	700	700				
Total:	1,330,500	1,330,500		1,330,500	1,330	,500
Preferential Land:	0	T			0	
Seller: SHILOH FARM	INVESTMENTS LLC ET	Transfer Information Date: 05/13/2005	on	F	Price: \$625,000	
Type: ARMS LENGTH	IMPROVED	Deed1: /29868/ 005	544	_ [Deed2:	
Seller: CROWN, CHAP	Control of the contro	Date: 05/13/2005			Price: \$1,250,00	n
Type: ARMS LENGTH		Deed1: /29868/ 005	335		Deed2:	-
Seller: CROWN, LORF Type: NON-ARMS LEN		Date: 08/15/2003 Deed1: /24907/ 004	168		Price: \$0 Deed2:	
- :	<u> </u>	Exemption Informat	tion		-	
Partial Exempt Assessments:	Class		07/01/2019	9	07/01/2020	
County:	000		0.00			
State:	000		0.00			
Municipal:	000		0.00 0.00		0.00 0.00	
Special Tax Recapture		and and Ameliands	E			
Homestead Application	n Status: No Application	estead Application In	rormation			
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Montgomery County Property Tax



REAL PROPERTY CONSOLIDATED TAX BILL

LEVY YEAR 2019

ANNUAL BILL

TAX PERIOD 07/01/2019-06/30/2020

ACCOUNT NUMBER	BILL NO.	PROPERTY ADDRESS		MORTGAGE	OCCUPANCY	
00016871	39001352	22200 CLARKSBURG RD		UNKNOWN	NOT A PRINCIPAL RESIDENCE	
PROPERTY DESCRIPTION GRANDMOTHERS GOODWIL		9302		INVESTMENTS LLC #1000 FAIRFAX, VA 22031		

LOT	
BLOCK	
DISTRICT	02
SUB	001
CLASS	R042
REFUSE AREA	
REFUSE UNIT	

TAX DESCRIPTION	ASSESSMENT	RATE	TAX/CHARGE
STATE PROPERTY TAX 7	1,330,500	0.1120*	1,490.16
COUNTY PROPERTY TAX 🕖	1,330,500	0.9907*	13,181.27
WATER QUAL PROTECT CHG O			312.75
TOTAL			14,984.18