



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Livable Frederick Planning & Design Office

Jan H. Gardner
County Executive

Steven C. Horn, Division Director
Kimberly Golden Brandt, Director

FREDERICK COUNTY HISTORIC PRESERVATION COMMISSION

STAFF REPORT

March 3, 2021

Address: 3190 Burgee Drive, Jefferson

Meeting Date: March 3, 2021

Applicant: The Potomac Edison Company

Report Date: February 19, 2021

Revised Date: February 26, 2021

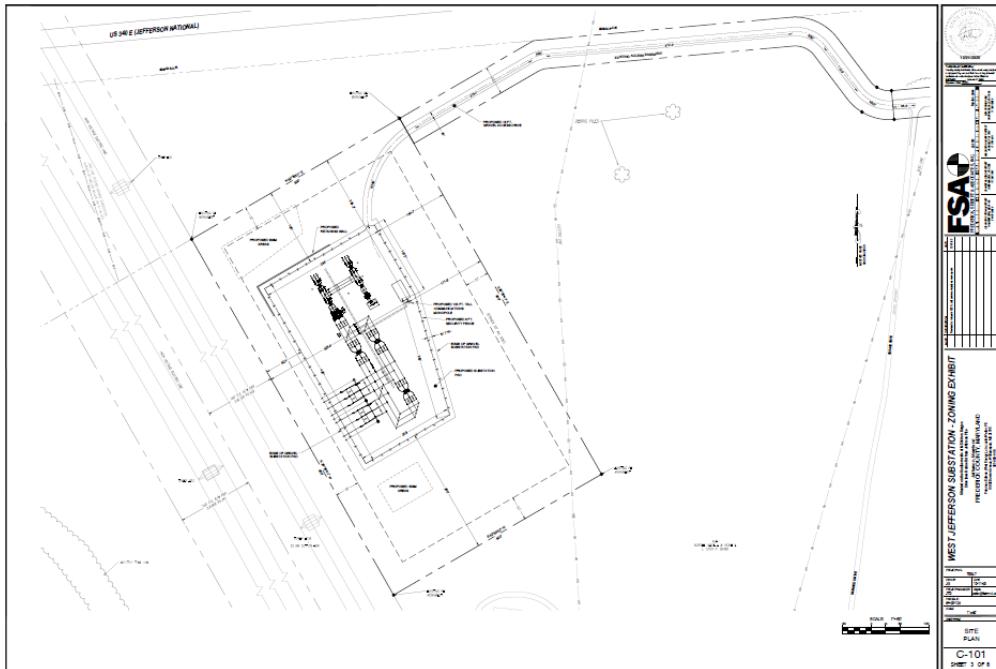
Request: Review and Comment on Special Exception for Proposed Nongovernmental Utility and Pole

BACKGROUND

Per section 1-19-8.339.H3 of the Frederick County Code, all applications for nongovernmental utilities before the Board of Appeals shall be forwarded to the Historic Preservation Commission for review and comment. The Board shall consider comments from the Historic Preservation Commission and shall make findings regarding the project's impacts on any historic district, registered historic property, parks, designated heritage area, and other historic or cultural resource. When there is a finding of negative impact based upon evaluation of the above, the Board shall to the maximum extent practicable require mitigation. Required mitigation may include the construction of fences, barriers, mandatory setbacks, the surfacing of access drives, shielding of lighting, or the establishment of buffers, vegetative screening, or landscaping.

PROPOSAL

An application for a Special Exception for a proposed nongovernmental utility pole has been submitted to the Board of Appeals (BOA # B-20-25). The Potomac Edison Company proposes to construct a nongovernmental utility and accessory communication pole at 3190 Burgee Drive in Jefferson. Per their submission, the utility will include structures up to 120 feet, situated within a 420' x 264' compound surrounded by an eight-feet-high fence.



Site Plan, Sheet 3 of 6



Site Sections, Sheet 6 of 6

STAFF DISCUSSION

Review of the Frederick County Geographical Information Systems historic preservation layer and the Maryland Historical Trust's MEDUSA mapping system indicates that there are seven documented historic resources located within a ½ mile of the property.

1. The W.A. Hemp House is located just south of the property at 3302 Burgee Drive. It is listed with the Maryland Historical Trust (MHT) as Maryland Inventory of Historic Properties (MIHP) number F-2-086. In 1995, the property was determined to meet the National Register criteria for individual listing based on the farmhouse and the presence of a bank barn and springhouse. Review of 2019 aerial photography reveals that the farmhouse and bank barn have been demolished.
2. The Mrs. Easterday House is located to the west of the property at 4411 Gene Hemp Road. It is listed with the MHT as MIHP number F-2-085. In 1995, the property was determined not to meet any of the National Register criteria. Based on 2019 aerial photography, it appears that the house has had further alterations and additions added that would further diminish its integrity.
3. The Easterday Inn is located to the northwest of the property, beyond U.S. Route 340 and Jefferson Pike. It is listed with the MHT as MIHP number F-2-122. Per information on the MHT website, this property is pending submission information. Review of 2019 aerial photography shows the property includes a five-bay, two-story brick house with a three-bay wing attached to the west elevation. The house faces southwest towards Jefferson Pike. A modern garage is also located on this property.
4. Two State Highway Administration structures, a culvert (DOE FR-0146) and a retaining wall (DOE FR-0145), are located to the northwest of the property. These structures were determined not eligible for listing to the National Register based on their condition and lack of association with an event or influential person.
5. The house at 3305 Jefferson Pike (DOE FR-0186) is located to the northeast of the property, between U.S. Route 340 and Jefferson Pike. It is listed on the MHT website as not eligible for listing to the Nation Register based on its lack of architectural distinction and lack of association with an event or influential person.
6. The Horine Farm is located to the northeast of the property, between U.S. Route 340 and Jefferson Pike. It is listed with the MHT as MIHP number F-2-129. In 2015, the property was determined by MHT to not to meet any of the National Register criteria due to the property being an “undistinguished example of a common type.” Additionally, the buildings are clustered in the far northeast corner of the property, over half a mile away from the subject property.



MHT's MEDUSA Cultural Resource Information System. Documented sites within a half-mile of the project site are numbered 1-6.

In addition to the resources identified on MHT's MEDUSA website, there are several undocumented historic structures along Jefferson Pike dating from circa 1850 to circa 1922. Jefferson Pike is a historic road built between Frederick Town and Harper's Ferry in the 18th century and is located to the north of the property, beyond U.S. Route 340. An undocumented farm is located to the south of the property beyond Horine Road. Furthermore, the property is located in the Heart of the Civil War Heritage Area, a designated Maryland Heritage Area. No historic cemeteries or historic districts were identified in the project area or vicinity of the property.

Review of Exhibit G, Visual Impact Survey, indicates the equipment will be visible from points along Jefferson Pike, Gene Hemp Road, and Horine Road. Review of the landscape plan indicates that a vegetative buffer will be located on the east and west perimeter. The applicant further states in the Justification and Compliance document that "the proposed utility is naturally screened because of its relatively small size within the surrounding acreage, the rolling topography, and the existence of nearby mature tree lines."

The Board of Appeals (BOA) is seeking comments from the Historic Preservation Commission regarding this proposed utility and its potential impacts on any historic district, registered historic property, parks, designated heritage area, and other historic or cultural resource.

If the Commission determines there will be a negative impact based upon evaluation of the above, the Board shall to the maximum extent practicable require mitigation. Required mitigation may include the construction of fences, barriers, mandatory setbacks, the surfacing of access drives, shielding of lighting, or the establishment of buffers, vegetative screening, or landscaping.