

MINUTES

HISTORIC PRESERVATION COMMISSION

March 12, 2025

The Cumberland Historic Preservation Commission held its regular meeting on February 26, 2025 within the Council Chambers of City Hall. Members present were, Chairman, Mr. Larry Jackson, Dr. Lincoln Wilkins, Mr. Justin Paulman, Ms. Lynda Lambert, Mr. Nathan Williams, and Mr. Tim Hoffman (via virtually).

Others in attendance were, Ms. Ruth Davis-Rogers, Historic Preservation Planner/Grants Management, Ms. Chelsea Rexrode, Codes Technician, Mayor Ray Morris, and City Administrator Jeff Silka. The Arts Commission members that were present were Melinda Kelleher, Erica Fabrizio, DeeDee Ritchie, and Arnold d'Epagnier. Applicants present were Peter Anger, Annie Hershberg, Elijah T Opel (known as Elijah Thane), and Jim Weir. Citizens present were Ila Steelman, Michael Harris, Claire Howell, Clint Lepley, Chris Myers, Andrew Opel, M. Vanvlack, Marlee Shumate Opel, and Brian Bowers.

Mr. Larry Jackson, called the meeting to order. He read the following statement into the record: "The Cumberland Historic Preservation Commission exists pursuant to Section 11 of the City of Cumberland Municipal Zoning Ordinance. Members are appointed by the Mayor and City Council and shall possess a demonstrated special knowledge or professional or academic training in such fields as history, architecture, architectural history, planning, archeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design, or related disciplines. The Commission strives to enhance quality of life by safeguarding the historical and cultural heritage of Cumberland. Preservation is shown to strengthen the local economy, stabilize and improve property values, and foster civic beauty. The Cumberland Historic Preservation Commission operates pursuant to State of Maryland 1977 Open Meetings Act and therefore no pending applications shall be discussed between or amongst Commissioners outside the public hearing to determine the disposition of the application."

APPROVAL OF MINUTES

1. Minutes from February 2025 were approved as written. **Mr. Justin Paulman made the motion for approval and Ms. Lynda Lambert, seconded the motion. All members were in favor. Motion approved.**

PUBLIC COMMENTS

- Ila Steelman (business owner downtown) - expressed concern in regards to Elijah Thane's behavior on social media in regards to his mural being proposed on Centre/Baltimore St.
- Michael Harris (business owner downtown) - expressed concern of the size of the mural being proposed on Centre/Baltimore. He believes it will take away from the newly renovated downtown look.
- Andrew Opel (Citizen, Elijah's Brother) - spoke to show support for Elijah's proposed artwork.
- Claire Howell (Citizen) - expressed that Elijah already has two murals downtown and she does not believe that is fair to the artist community. She does not believe that the mural represents Cumberland.
- Jim Weir (business owner downtown) - expressed that he is the owner of that building that Elijah Thane's mural will be placed. He expressed his concerns that the Commission will base their decision on the applicant's character and not the art.

CONSENT AGENDA

- 49 N Liberty St (COA25-000006) - signage
Applicant: Matthew O'Reilly
- 40 N Centre St (COA25-000008) - signage
Applicant: Aaron Hamilton
- 40 N Centre St (COA25-000009) - signage
Applicant: Michael Harris

Mr. Larry Jackson read the approval statement: We have studied the application in all other relevant documents and presentation related to the for-mention cases COA25-000006, COA25-000008, and COA25-000009. We find the properties on the approve Certificate of Appropriateness contribute to the Historic Districts where they are located and the proposed changes are consisted with guidelines and criteria found in the Historic Preservation District designed guidelines for Cumberland Maryland.

REGULAR AGENDA

- 15 S Liberty St COA25-000007
Applicant: Chris Myers

Applicant, Chris Myers, spoke on behalf of the project. There will be 3 signs installed. They

will be on panels and attached to mortar. It can be removed without causing damage to building, if needed. One sign is on the rear near "Uncle Jack's" and the other sign is on the left-hand side where the old "atm" was located near Liberty St.

Dr. Lincoln Wilkins made the motion to approve COA25-000007 and Mr. Tim Hoffman seconded the motion. All members were in favor. Motion approved.

- 610 Washington St - RCA25-000001 (replace slate roof with asphalt shingles)
Applicant: Peter Anger

This is a continuation was the last two meetings. Applicant Peter Anger submitted an Economic Hardship Application. The Commission reviewed his application. Peter discussed the colors of the shingles that he believes that would look the best.

The Commission agreed the options of colors that were provided were all acceptable.

Mr. Nathan Williams made the motion to approve the application of Hardship and the RCA25-000001. Ms. Lynda Lambert seconded the motion. All members were in favor. Motion approved.

The following two Certificate of Appropriateness (COA) applications are for two murals at 100 Baltimore Street. Because of this the Cumberland Arts Commission will be joining us. Currently, under code, the HPC reviews murals in the local historic district, however it has been expressed to us in the past that, since the HPC is advocating for buildings, not art, those experienced with art should be included in the review. So the HPC, per City Code, Article V, Division 4, Section 2-249 has requested the assistance of the Arts Commission to assist in this review.

- 100 Baltimore St - COA25-000011 (mural facing Baltimore St.)
Applicant: Jim Weir (building owner) & Elijah Opel (artist known as Elijah Thane)

Applicant, Elijah Thane handed out information in regards to his proposed work. He refused to speak on behalf of his project. He stated he would answer questions provided by the Commission.

Questions/Comments:

Mr. Nathan Williams: He is concerned that the mural will "alter" the style of the building. How do you think that this mural will alter the architectural structure of the building its self? And If not, why not?

Elijah: It does not alter the structure of the building at all.

Mr. Lincoln Wilkins: How is this installed? Is this installed on panels?

Elijah: Aluminum panels will be attached, drilled into the mortar, not the brick. He states it would not damage the architectural characteristics, because he states it does not have architectural characteristics to begin with.

Ruth Davis-Rogers: made a comment that it is a mid-century modern building. It may have a bridge to brutalism, but when you look at a mid-century modern characteristic it is much stronger as a mid-century modern building.

Mr. Nathan Williams: He believes if you are driving down Centre St. to get a feel for it. He believes seeing two large murals on a building, it will make the building unrecognizable as a commercial building. You would see it as an art display first and a commercial building second. The art is great, but he believes it is an alteration. As Ruth stated, just because it is built in that style, does not mean it should lose its worth to the city to be used for something else.

Elijah: Do you really think this would make it lose its worth to the city?

Mr. Nathan Williams: He stated because it is in the heart of the commercial district, he is concerned it will take away from the feel of the entire block. It is a contributing commercial structure in that area. We must consider if an alteration to one building could take away character from the other buildings.

Ms. Lynda Lambert: She stated when she looks at this piece, she believes that the size of the mural takes away from the building. It is extremely imposing.

Elijah: This is a subjective opinion.

Arnold d'Epagnier: Is this AI generated?

Elijah: Why does it matter to you?

Arnold d'Epagnier: It is important because AI generation is plugged into a computer to get information and it would give a produced image, but copying is not an artform.

Elijah: I use all of the most advanced systems in the world, if that answers your question.

Erica Fabrizio: I am a teacher and she has a system to check AI generated work. This image came back at 99% AI generated.

Elijah: It should not matter how I designed the work.

Erica Fabrizio: It would be better for us to be able to judge whether or not, if you are capable to do this painting.

Elijah: He stated his work is available on his website.

Mr. Larry Jackson: He stated that the HPC is not going to evaluate how the art was created or if the art is good or not. He said he likes the inspiration. As a commission, we must look

at the façade guidelines. This can not be approved because it is against the guidelines. It does not matter who is painting this mural, we have to abide by the national register district and the local preservation guidelines. We can not put a mural on the front of the building.

Elijah: He stated this is a corner building. It does not have a front.

Melinda Kelleher: She introduced herself. She stated public art was discussed in the Baltimore St project. Public art is very important to main street organizations. She states all public art is always on the side of the buildings, not on the front. She thinks that the "Centre St" side would be appropriate for the mural, but not for the front.

Mr. Tim Hoffman: He explained that the mural will take away from the architecture from the front of the building. He has no issues with the "Centre St" side.

Elijah: He asked for someone to describe the orientation of the doors for the entrance.

Ruth Davis-Rogers: She responded that the orientation is very common for a mid-century modern building. The design is asymmetrical which is usually the case with this type of building.

Mayor, Ray Morris: He stated that the address of the building is 100 Baltimore. The "front" of the façade is Baltimore St. You do not want to take away from the front of the building. The guidelines state that nothing goes on front of the building. We should move onto "Centre St" side because we have to follow the guidelines in regards to Baltimore St.

Dr. Lincoln Wilkins: He stated he loves the content. He believes we are losing history. He doesn't believe people understand how crucial Cumberland was in regards to George Washington. He also loves that Elijah is taking modern measures to generate the concept.

Mr. Nathan Williams: He stated what is subjective are guidelines we must to follow. Guideline 1 sub letter A states "Do not remove or alter historical architectural or features." He states he can not vote to approve because of the first guideline stated.

Mr. Justin Paulman: We can not go against the guidelines that are written.

Ms. Lynda Lambert made the motion to deny COA25-0000011 and Mr. Justin Paulman seconded the motion. All members were in favor. Motion approved.

- 100 Baltimore St - COA25-000010 (mural facing N Centre St)
Applicant: Jim Weir (building owner) & Elijah Opel (artist known as Elijah Thane)

Mayor, Ray Morris: He asked Elijah since the façade was denied, would he want to change the mural on "Centre St."

Elijah: He states that he would like to keep it the same due to "Lady Liberty facing Liberty St"

Ruth Davis-Rogers: She asked if Elijah would like to make a presentation about this mural.

Elijah: He stated "It is world class."

Ms. Lynda Lambert: She stated that she likes the placement of the mural on the side of the building.

Dr. Lincoln Wilkins: He stated he likes "Section 1", but does not like "Section 2". It would allow for maintenance and still maintain the architecture character on the corner by removing "Section 2".

Mr. Tim Hoffman: He agrees with Lincoln. He thinks it is appropriate to have a rectangular piece of artwork, while still maintaining the architecture look at the corner itself.

Mr. Nathan Williams: He states removing "Section 2" would eliminate the problem with the mural being the first thing you see. You would see the architecture of the building, then the artwork.

Arnold d'Epagnier: He asked Elijah. What do you mean by "Reversible Panels?"

Elijah: He responded that they will be drilled into the mortar and be removed.

Arnold d'Epagnier: He responded, then they are removable, not reversible?

Elijah: He responded, it is semantics.

Arnold d'Epagnier: He asked applicant if there would be any words in the mural that we do not see now.

Elijah: He responded that there will be no words in the painting. He is going to sign it.

Arnold d'Epagnier: He asked if there will be words on the book.

Elijah: He said the book will say something resemble to "Statue of Liberty".

Arnold d'Epagnier: He asked if Elijah knew what the book that the "Statue of Liberty" is holding.

Elijah: He stated I reject your question.

Erica Fabrizio: She asked if they will be painted on panels in person or will this be sent into a company to get complete.

Elijah: He responded that he will hand paint these in person with assistance. It will be most likely be painted on-site.

Arnold d'Epagnier: He stated that we should be presented what is actually going to be painted on the mural.

Erica Fabrizio: She stated in order to approve what is going to be on the side of this building, we need to see the actual work and not an AI generated image.

Elijah: He stated that he does all of this commercial work like this and he has never have any complaints.

Ruth Davis-Rogers: She explained we are in the historical district and there are more

regulations and questions.

Dr. Lincoln Wilkins: He would like to see a mockup drawing as it will be on the wall, not just an AI image.

Elijah: He said it will look like that, but better. He will remove how it looks like a photograph and make it more like a classical style.

Erica Fabrizio: She expressed concerns on how the mural will look on the building and stated it would be best if Elijah would show his version of this image.

Elijah: He stated this is the only mockup drawing. He said there will be no change to the composition.

Ruth Davis-Rogers: She stated we need to have a mockup drawing presented to the commissions prior to approval.

Arnold d'Epagnier: He suggested to have the mockup to have the actual sizes of the details that need to be thought out.

Elijah: He states it is infringing on the design process by doing this. He says the design is there and it speaks for itself.

Arnold d'Epagnier: He stated based on Elijah's previous painting he is doubting if he could make it match the image provided.

Elijah: He explained that he does multiple different styles of painting.

Arnold d'Epagnier: He stated the artwork that he did in Midland was a terrible picture of a horse.

Elijah: He responded "that's a mule dumbass."

Erica Fabrizio: She stated we need to see what Elijah Thane is capable of, not what AI is capable of.

Mr. Nathan Williams: He stated he has recognized different styles of paintings that Elijah has completed. He wanted to know what style will this mural be?

Elijah: He stated that the mural will be a classical, high renaissance style.

Melinda Kelleher: She stated that she is in full support of art on Centre St side. It is a great location. She does like the "Lady Liberty" mural.

Mr. Larry Jackson: He stated we are simply approving whether we are going to allow a section or two sections on the building. A motion if we are going to be able to approve Elijah to complete the mural would be appropriate. We can only follow the guidelines. We are not evaluating the art, aesthetic value, methods, or motivations. We are following historic guidelines for the HPC.

Mr. Nathan Williams: He stated we do not want the process to end up costing you the commission or the ability to put the mural on the building. What is the process acceptable

compromise to you? What would be compromising for you to see the AI Generated VS your actual mural?

Elijah: He stated all of the detailed drawings will not make sense. It will be a collage of random drawings to make this possible. This is the only compositional mockup that there will be.

Mr. Nathan Williams: He responded could we get a mockup of the specific drawings to show the artist touch?

Elijah: He responded Jim will likely say he will not pay for a design made if it is contingent on another approval.

Dr. Lincoln Wilkins: He asked who is the applicant on this?

Elijah: He responded, Jim, but he stated he could speak on his behalf.

Dr. Lincoln Wilkins: It would have been best to have Jim speak for himself if it is his building.

Mr. Tim Hoffman: He stated even in a "building scenario." They have a mockup completed and leave it up for the entire project.

Erica Fabrizio: She stated if he could present his "actual work." It would help them with their decision. It is AI generated, not his actual work.

Elijah: He states he entered the prompts and he altered it to how he wanted it to be. He stated you have no right how to design my work.

Ruth Davis-Rogers: She stated like the work. All we are asking is to see the brush strokes, paint, your actual artistic ability.

Mr. Nathan Williams made the motion to approve with conditions COA25-000010, Section one is approved with conditions, Section 2 to not be made and that a mockup with be provided to the joint Commission on showing how the AI generated image will translate on how the actual mural will transfers and this is subject to approval of the completed project. Ms. Lynda Lambert seconded the motion. All members were in favor. Motion approved.

Elijah: He stated that the artwork is not going to be split in half. It is both panels/sections or none.

ANNOUNCEMENTS

- We still have some money for a façade grant for North Centre and North Mechanic St. We have around \$10,000 left. It is a matching grant.

An audio of tonight's meeting is available upon request.

ADJOURMENT

Mr. Larry Jackson adjourned the meeting.

Respectfully,

Mr. Tim Hoffman, Secretary