

Minutes
Baltimore County Landmarks Preservation Commission
January 11, 2007 Meeting

Mr. James Matthews, Chairman, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6:03 p.m. The following Commission members were:

Present

Not Present

Mr. James E. Matthews, Chairman
Ms. Carol Allen
Mr. C. Bruce Boswell
Mr. Thomas L. Reynolds
Mr. Louis S. Diggs
Ms. Wendy McIver
Ms. Norma Secoura
Mr. David J. Bryan
Ms. Nancy Horst
Mr. Steven Fedder
Mr. John W. Hill, Vice-Chairman
Mr. Qutub K. Syed
Dr. Robert Gregory

Mr. Edward E. Hardester, Jr

County staff present included Vicki Nevy (Secretary to the Commission), Jeff Long (Deputy Director for the Office of Planning), Mike Field (Assistant County Attorney), Teri Rising and Karin Brown.

Preliminary Actions

Mr. Matthews introduced Dr. Robert Gregory as the newest member of the Landmarks Preservation Commission. He stated that Dr. Gregory is replacing Mr. Edward Parker as the member representing the Planning Board with the LPC and proceeded to summarize Dr. Gregory's biographical statement.

Mr. Diggs announced that he will give a presentation on the African American Survey Districts at the February 8, 2007 LPC meeting. Mr. Hill let it be known that in honor of Dr. Martin Luther's birthday, MICA and the Maryland Historical Society are presenting "*At Freedom's Door.*" Dr. Gregory informed his fellow Commissioners that he is a board member of the Maryland Historical Society and that he will make sure all members receive invitations.

Annual election of Chairman and Vice-Chairman

1. Mr. Matthews stated that the annual election of officers was at hand. He let it be known that he agreed to serve another year as Chairman and that Mr. Hill would

be willing to serve another year as Vice-Chairman. Mr. Hill moved to elect Mr. Matthews as Chairman. Mr. Diggs seconded the motion, which was approved unanimously on a voice vote. Mr. Boswell moved to elect Mr. Hill as Vice-Chairman. Mr. Syed seconded the motion, which was approved unanimously on a voice vote.

Review of the Agenda

2. Ms. Rising informed the Commission that there was a minor change to the Revised Agenda. Item 12 - 211 Melancthon Avenue, in Lutherville, would not be presented as a consent agenda item, because the owner would like for the LPC to consider a different design alternative than that proposed in the staff recommendation.

Approval of the Minutes

3. There were a few requests for corrections to the Minutes. The first concerned item 10, the "Station Master's House." Regarding that item, the Minutes include the following statement: "Ms. McIver noted that she did not have a problem with the addition, but thought the windows were too large." Ms. McIver asked that the phrase be changed to "but thought the windows were too modern." Mr. Diggs noted that on page 4, second paragraph, the correct spelling of one of the community representatives is Reverend J. C. Bradford. Mr. Hill pointed out that on the same page, second to last paragraph, Mr. Boswell's name had been misspelled. Mr. Diggs moved to approve the November 9, 2006 Minutes, as corrected. Mr. Fedder seconded the motion, which passed unanimously on a voice vote.

Consent Agenda

- 3A. Mr. Matthews asked Ms. Rising to describe the items scheduled on the Consent Agenda and determined that no person present objected to its approval as submitted. Mr. Diggs moved that, for the reasons stated, and in accordance with any conditions stated in the written Action Summaries provided to the members of the Commission by staff, items 11, 13, 14, 15 and 16, be approved as submitted. Mr. Boswell seconded the motion, which passed unanimously on a voice vote.

Recommendations on Baltimore County Register (MHT Inventory) Structures

4. **Oregon Ridge Park properties, Oregon Ridge; Overseer's House, County Register (MHT) # BA-826; Easterly Company House, County Register (MHT) # BA-828; Westerly Company House, County Register (MHT) # BA-829 [County Council District # 3]**

This item involved a request to demolish the above three structures. Ms. Rising read staff's recommendation to vote issuing a notice to proceed.

Mr. John Markley, Deputy Director of the Department of Recreation and Parks and Dr. George Brauer, Archaeologist for the Baltimore County Public Schools, testified on behalf of the County. Mr. Markley stated that all three buildings were connected with the former iron mining facilities at Oregon Ridge. The structures are deteriorated to a point where it is no longer safe to keep them. He stated that the building's foundations would be kept for future archeological studies. Dr. Brauer, who is in charge of the archeological research at Oregon Ridge, corroborated that the preservation of the foundations would allow for future interpretation of the site's history.

Mr. Fedder stated that he visited the site and felt the County's request should be supported. Mr. Syed moved to issue a notice to proceed. Mr. Hill seconded the motion. All members of the Commission voted in favor of the motion, except for Ms. Secoura, who voted against it. The motion passed.

5. 106 Avondale Road, Turner's Station African American Survey District; Dundalk vicinity; County Register (MHT) # BA-3056 [County Council District # 7]

This item concerned a County initiated demolition request. The property had been purchased by Baltimore County at a tax sale after the previous owners failed to pay the fines imposed in response to code violations. Ms. Rising read staff's recommendation, which encouraged the LPC to discuss the proposal. Ms. Rose Parish Riddich and Mr. Jonathan Riddich represented the previous owners of the property, who attended, but did not testify. Mr. Wendell Webster, attorney, also represented the former owners.

Mr. Webster summarized the events leading up to the demolition request. He alleged the property never posed a safety problem caused by neglect. He stated that over time taxes and penalties accumulated rendering his clients unable to pay. He viewed the matter as a Civil Rights case. He felt that razing the property would exacerbate the situation. Ms. Parish Riddich and Mr. Riddich reiterated the statement that the house was not deteriorated and that Turner's Station would lose an important part of its history if the structure were to be demolished.

Ms. Terri Kingeter, Southeast Sector Coordinator with the Office of Community Conservation, stated that she worked directly with the Turner's Station community and that the code violation notices and the subsequent demolition request were community initiated. This desire is reflected in a letter from Dunbar Brooks, a community activist and Chairman of the Turner's Station Development Corporation.

A discussion ensued among the members of the Commission whether the dwelling could or should be rehabilitated. Because Mr. Wisnom, the Baltimore County Hearing Officer and Ms. Harvey, the director of Community

Conservation, who had dealt with the issue in the past, were unable to attend the meeting, Mr. Hill moved to table item 5 (106 Avondale Rd.) and item 6 (102 Avondale Rd). Mr. Fedder seconded the motion, which was approved unanimously on a voice vote.

6. 102 Avondale Avenue, Turner’s Station African American Survey District; Dundalk vicinity; County Register (MHT) # BA-3056 [County Council District # 7]

This item concerned a demolition request that was initiated by Baltimore County. It was tabled – see item 5. above.

7. “Bellamy House” 123 Sollers Point Road, Turner’s Station African American Survey District; Dundalk vicinity; County Register (MHT) # BA-3056 [County Council District # 7]

This item concerned a demolition request. Ms. Rising read staff’s recommendation, which encouraged the LPC to discuss the proposal.

Mr. Cosgrove, representing Ms. Belamy, the owner, stated that he and his client were in favor of the demolition request. Mr. Boswell and Mr. Diggs had visited the site and agreed that the house was in a very deteriorated state. They also had viewed the proposed elevation of the replacement structure. Mr. Long reminded the Commission that it was not within the purview of the LPC to comment on the design of a structure in an African American Survey District (Note: In accordance with County law, the Commission can only make design decisions for new structures in a County Historic District, or a structure on the Preliminary or Final Landmarks List). Dr. Gregory moved to issue a notice to proceed. Mr. Diggs seconded the motion, which was approved unanimously on a voice vote.

Alteration to properties in County Historic Districts or Landmark structures

8. “Seymour Ruff House,” (Graham Residence) 9000 Church Lane, Fieldstone; Fieldstone County Historic District; County Register (MHT) # BA-2900; [County Council District # 4]

This item concerned a contributing structure in the Fieldstone County Historic District. The historic windows had been replaced with non-historic vinyl windows, without obtaining LPC approval. The issue had been before the LPC on November 9, 2006, at which time the Commission tabled the matter, suggesting that the owners and the local historic advisory group work out a compromise. Ms. Rising read staff’s recommendation to replace the aluminum windows on the Church Lane and McDonogh Road sides of the house with wood windows of true-divided light (2 x 2) over the period of no more than three years. Staff also recommended applying for the appropriate corresponding County tax credits. Mr. Bryan offered his assistance in filling out the appropriate tax credit applications.

Mr. Matthews suggested bringing the matter before the Board of Realtors. He thought that while the contract of sale contained a notice indicating that the property was historic, the realtor failed to spell out what it meant to be located in a County Historic District. Mr. Fedder moved to accept staff's recommendation. Mr. Syed seconded the motion. Mr. Hill amended the motion by requesting that the new wooden replacement windows be in each case the same type as the original windows, i.e. the 2 over 2 windows be replaced in kind and the windows in the sunroom, be replaced with appropriate, in kind, windows. Ms. Allen, Mr. Boswell, Ms. Horst, Ms. McIver, Mr. Hill, Mr. Reynolds, Mr. Syed and Ms. Secoura voted for the motion. Mr. Diggs and Dr. Gregory voted against the motion and Mr. Bryan abstained. The motion passed.

9. Towsontown Lodge, 411 Jefferson Avenue, East Towson African American Survey District; County Register (MHT) # BA – 1002 [County Council District # 5]

This item concerned a demolition request. Ms. Rising read staff's recommendation, which encouraged the LPC to discuss the proposal. Mr. Diggs stated that the building was in horrible shape. He also informed the Commission that the community is in support of demolishing the building. Mr. Diggs moved that the demolition request be approved. Ms. Allen seconded the motion, which was approved unanimously on a voice vote.

10. "Doctor Rider House," 36 Church Road, Owings Mills vicinity; County Register (MHT) # BA-669 [County Council District # 4]

This item concerned a demolition request. The building had been recently stripped of all its significant features, that is, Second Chance, a company that recycles historic materials, had removed windows, doors and flooring. Ms. Rising read staff's recommendation, which encouraged the LPC to discuss the proposal.

Mr. Dino LaFiandra, counsel to the Baltimore-Washington Conference of the Methodist Church, summarized the events leading up to the night's meeting. He asked the Commission to support his client's demolition request. Ms. Mary Lou Kaestner, trustee of the Church, stated that demolishing the building would allow the Church to redevelop the site. Ms. Patricia Bentz, Executive Director of the Baltimore County Historical Trust, Inc. stated that Ms. Rider gave the property to the Church. Her will clearly indicated that her intent was to preserve the building. Mr. Matthews stated that it was outside the scope with the LPC to interpret the will.

Mr. Boswell stated that he visited the site and found it, apart from minor termite damage, structurally sound. Until it was stripped of its historically significant features, it was perfectly functional. Mr. Boswell noted that there were 10 outbuildings on the site. Together they form a self-sufficient farmstead – showing life in Baltimore County around 1900. Ms. Rising noted that she performed a

cursory search and found that the farmstead's builder, Dr. Rider, was instrumental in the development of Riderwood.

Dr. Gregory moved not to approve the demolition request. Ms. McIver seconded the motion. Except for Mr. Reynolds and Mr. Hill, the members voted for the motion. The motion passed.

11. "Saint Paul's Lutheran Church," 1609 Kurtz Avenue, Lutherville; Lutherville County Historic District and the Lutherville National Register District; County Register (MHT) # BA-290 [County Council District # 3]

This item concerned the placement of a freestanding identification sign on the premise. The property is a contributing structure in the Lutherville County Historic District and the Lutherville National Register District. The Lutherville Historic Advisory Committee had reviewed the proposal and approved its design.

Approved via the consent agenda to issue a notice to proceed.

12. "Elmnook" (Mathews Property), 211 Melanchton Avenue, Lutherville; Lutherville County Historic District and the Lutherville National Register District; County Register (MHT) # BA-311 [County Council District # 3]

This item concerned a contributing structure in the Lutherville County Historic District and the Lutherville National Register District. The property owner constructed concrete steps and a concrete wall at the dwelling's rear elevation without obtaining LPC approval. The matter had been before the LPC at the November 9, 2006 meeting, at which time the Commission voted to order the removal of the already constructed wall and concrete steps and requested that all future exterior changes should be submitted to the Lutherville Advisory Committee (LAC) and the LPC for approval. The applicant engaged an architect, who prepared two design scenarios. The proposals had been submitted to LAC. Staff's recommendations reflect LAC's comments.

Ms. Rising read staff's recommendation to vote to issue a notice to proceed subject to the following conditions:

1. Cut down the height of the entrance concrete block wall to the height shown in Scheme 2. The height should replicate the height of the existing stone foundation.
2. Cover the existing concrete block wall surfaces with a stone veneer that matches the existing stone foundation.
3. Employ the railing as shown in Scheme 2. Railing height over the entrance wall should match the height of the railing on the porch and should be made of wood.

4. Should the portion of the porch, labeled “A” in Scheme 1, not be added, the original lattice screen, or a wooden lattice screen, identical to the original screen, should be reinstalled in its original place between the porch column and the house (see photograph showing the wooden screen in place).

Dr. Gregory moved to accept staff’s recommendation. Mr. Hill seconded the motion, which was approved unanimously on a voice vote.

13. “Batchelor’s Store,” 16951 York Road, Hereford; Final Landmarks List # 319, County Register (MHT) # BA 2047 [County Council District # 3]

This item concerned the replacement of an existing retaining wall with a new retaining wall.

Approved via the consent agenda to issue a notice to proceed.

14. Relay Children’s Center, 1620 South Rolling Road, Relay County Historic District [County Council District # 1]

This item concerned the replacement of an existing fence, with a new fence.

Approved via the consent agenda to issue a notice to proceed.

15. “Avalon,” (Pommetto-Adams property) 309 Gun Road, Avalon; Final Landmarks List # 230 [County Council District # 1]

This item concerned a request by the owner to delineate the entire 3.64-acre property (map 108, parcel 599) as the Historic Environmental Setting.

Approved via the consent agenda to delineate the entire 3.64-acre property as the Historic Environmental Setting.

Tax Credits

Request for LPC approval for County Part II Tax Credit application

16. “Hunt-Schmidt House,” (Dillon property), 12656 Manor Road, Long Green [County Council District # 3]

This item concerned a request by the owner to approve a part II tax credit for a structure on the Final Landmarks List and to delineate the entire 1.45-acre property (map 53, parcel 248) as the Historic Environmental Setting.

Approved via the consent agenda to issue a notice to proceed and to delineate the entire 1.45-acre property as Historic Environmental Setting.

Report on County Tax Credit application

Ms. Brown reported that the following historic property tax credit applications were approved because the applicants had submitted a signed/approved Part 2 State Tax Credit application:

18. Broussard property, 918 Wellington Road, Stoneleigh National Register District [County Council District # 5]
19. Bauer/Wittelsberger property, 206 W. Seminary Avenue, Lutherville County Historic District [County Council District # 3]
20. Fishman/Roberts property, 5105 South Rolling Road, Relay County Historic District [County Council District # 1]
21. O'Connell property, 6905 Marlborough Rd. Stoneleigh National Register District [County Council District # 5]
22. MacGregor property, 7009 Kenleigh Road, Stoneleigh National Register District [County Council District # 5]
23. LeVan property, 6901 Marlborough Road, Stoneleigh National Register District [County Council District # 5]

Other Business

24. Ms. Rising reported that the County Council has held a Public Hearing on structures and their setting that had been placed on the Preliminary Landmarks List on April 25, 2006, July 13, 2006 and October 12, 2006.
25. Mr. Field, reporting on the status of the Glyndon fence, stated that the Board of Appeals had heard the case at the end of December. The briefs are due by the end of February and the public deliberation is expected to come to a conclusion by the end of March.
26. Mr. Field reported that the case concerning 9913 Philadelphia Road had been heard. He urged that the members of the Commission read the Zoning Commissioner's ruling for it provides an excellent summary of the law and its limitations.
27. 6240 Falls Road, Bare Hills: Mr. Field reported that the Zoning Commissioner held a Special Administrative Hearing regarding the demolition request for said

property. The owner asked that the demolition be deferred. The Zoning Commissioner stipulated that if the property does not meet Code requirements by April 30, 2007, the demolition would be authorized.

28. Ms. Rising informed the members of the Commission that their comments and suggestions had been incorporated into the LPC booklet update.

The meeting was adjourned at 9:30 p.m.