

Minutes
Baltimore County Landmarks Preservation Commission
May 10, 2007 Meeting

Mr. James E. Matthews, Chairman, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6:10 p.m. The following Commission members were:

Present

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

Not Present

Ms. Carol Allen
Mr. Steven Fedder
Mr. Edward E. Hardester, Jr

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

Mr. Matthews introduced Ms. Gloria McJilton as the newest member of the Commission. He informed the LPC that Ms. McJilton is the vice-president and treasurer of McJilton Associates, Inc and that among the many positions she has held were past chair of the Baltimore County Commission on Arts and Sciences, member of the Maryland Judicial Nominating Commission and that she was one of the founders and treasurer of the Greater Dundalk Alliance. He welcomed Ms. McJilton to the Commission.

Mr. Matthews thanked Ms. Hoffberger and Ms. Brown for coming to the Greater Baltimore Board of Realtors to speak about issues pertaining to historic properties in general, the rehabilitation tax credit and Bill 26-07. He stated that the Board agreed to recommend to the form committee to add a clause that would require buyers of historic properties to initial a statement informing them about a property's historic status. Up until now, only sellers are required to initial such statement.

Review of the Agenda

1. Ms. Hoffberger informed the Commission that there was a minor change to the Revised Agenda, item 8, the Khouzami property, had been added as a consent agenda item.

Approval of the Minutes

2. There were no corrections to the Minutes. Mr. Hill moved to approve the April 12, 2007 Minutes. Mr. Boswell seconded the motion, which passed unanimously on a voice vote.

Consent Agenda

- 2A. Mr. Matthews asked Ms. Hoffberger 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 6, 7 and 8 be approved as submitted. Mr. Syed seconded the motion, which passed unanimously on a voice vote.

Public Hearings on Nominations to the Landmarks List

3. **Wilson Methodist Episcopal Church, 4507 Long Green Road, church, cemetery and setting; County Inventory (MIHP) # BA-0862 [County Council District # 3]**

This item concerned a nomination to the Landmarks List by a third party. Ms. Hoffberger read staff's recommendation to vote to place the "Wilson Methodist Episcopal Church" on the Preliminary Landmarks List under criteria (1) – for its association with the evolution of the Methodist Episcopal Church in Baltimore County; for its association with the religious and social development of the Long Green area; (2) – for its distinctive representation of ecclesiastical architecture for the late 19th century; and (b) to delineate the entire property containing the church building and cemetery, totaling 2 acres (map 53, parcel 32), as its historic environmental setting.

Mr. Lawrence Schmidt representing the Wilson United Methodist Episcopal Church, stated that his client is neither for nor against the nomination. Mr. John Hass, trustee of the church, stated that even though the congregation has disappeared, the membership wishes to keep the church and preserve it for the community. Dr. Gregory moved to accept staff's recommendation. Ms. McIver seconded the motion, which was approved unanimously on a voice vote.

4. **J.D. Slade House, 12653 Manor Road, house and setting, Long Green County Inventory (MIHP) # BA-2111 [County Council District # 3]**

This item concerned a nomination to the Landmarks List by a third party. The chair granted a continuance.

5. Tollgate Keeper's House and setting, 13006 Harford Road, Hydes;[County Council District # 3]

This item concerned a nomination to the Landmarks List by a third party. Ms. Hoffberger read staff's recommendation to vote to place the "Tollgate Keeper's House" on the Preliminary Landmarks List under criterion (1) – for its association with the development of the Baltimore County turnpike system and its contribution to the history of transportation in the Hydes/Reckordville area, and (b) to delineate the entire property containing the house, totaling 2 acres (map 55, parcel 393) as its historic environmental setting; staff would allow moving the house further back on the property.

Mr. Herb Anderson, son-in-law of the owner William Class Jr, stated that Mr. Class has been in a nursing home for six months. He has no insurance and the property constitutes his only asset. The family had offered the property for sale to the State and to the County, but they were not interested. The family needed to sell the property to pay for Mr. Class' nursing home care. He feared that placement on the Preliminary Landmarks List would affect the marketability of the property. Mr. Boswell inquired whether the property could be subdivided. Mr. Anderson responded that the land is zoned RC 2 and could not be further subdivided. Mr. Diggs asked about the current condition of the dwelling. Mr. Anderson replied that it was in good condition. Mr. Boswell moved to accept staff's recommendation, with the caveat that the dwelling could be moved back a distance equal to what it's historic distance was to the road. Ms. Secoura seconded the motion.

Mr. Anderson stated that the family's realtor only received inquiries from people who were interested in demolishing the building. Ms. Secoura stated that this was probably attributable to the manner in which the property was listed (the listing advertised a 'historic home that could be torn down). Mr. Hill asked to hear from the nominating party. Mr. John Storck, representing the Long Green Valley Community Association, stated that his community would like to have the house preserved. He thought that its location next to Gunpowder State Park constitutes a tremendous asset. He had no issue with moving the house if the road should be widened.

Ms. Debbie Class, daughter of the property owner, stated that the house would have to be rehabilitated. She noted that the windows were frequently broken because cars driving by scatter stones towards the windows and break them. Also, the bathroom and kitchen are outdated and there is no parking area. She observed that the bills for her father's nursing home care amount to \$ 48,000 and that he would have to move out if they cannot pay the bill, which requires selling the property.

Addressing Mr. Field, Dr. Gregory inquired whether the County Code gave the Commission any discretion. Mr. Field responded that when the Commission is

deciding whether to landmark a property, it is acting as a quasi-legislative body, not as a quasi-administrative or quasi-judicial body. Its decision is not subject to appeal to the Board of Appeals or a court of law. Noting that he did not wish to influence the decision-making process, he advised that this means that even if the Commission is convinced that the property meets at least one criterion for landmarking, the Commission may take other issues into account when deciding whether or not it will landmark a property. As such, it would be entirely proper for members to take hardship into consideration. Mr. Matthews reminded the LPC that a motion was on the floor to accept staff's recommendation. The following Commission members voted for the motion: Mr. Boswell, Mr. Bryan, Ms. Horst, Ms. McIver and Ms. Secoura. Mr. Diggs, Dr. Gregory, Mr. Hill and Mr. Syed voted against the motion and Ms. McJilton abstained. The motion failed.

Alteration to properties in County Historic Districts or Landmark structures

6. **Boschert property, 11919 Jericho Road, Franklinville; Non-contributing structure in the Franklinville County Historic District; demolition of garage – construction of a new garage [County Council District # 3]**

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

7. **“Connolly House,” (Amrein property) 12709 Manor Road, Long Green, Final Landmarks List # 341 request to remove non-historic chimney [County Council District # 3]**

Approved via the consent agenda to issue a notice to proceed

Applications to Historic Tax Credits

Request for LPC approval for a Part II Tax Credit application

8. **Khouzami property, Hatherleigh Rd., Stoneleigh; contributing structure in the Stoneleigh National Register District; repair of slate roof and replacement of flashing [County COUNCIL District # 5]**

Approved via the consent agenda to issue a notice to proceed

Report on County Tax Credit applications approved

Ms. Hoffberger noted that three more tax credit applications had been approved because the applicants had submitted signed/approved Part 2 State Tax Credit applications. Ms. Horst noted that the Agenda, under the heading “*Report on County Tax Credit applications approved*” showed the ‘Tyrconnell’ property

mistakenly as being located in the 5th Council District. The correct district number is "2."

Other Business

Mr. Matthews asked the LPC to consider repealing the Resolution on Clarifying and Confirming the Implementation of former Section 26-540 (a) 2003. The resolution is obsolete and inconsistent with the new County law. Dr. Gregory moved to repeal the resolution. Mr. Diggs seconded the motion, which was approved unanimously on a voice vote.

Ms. Hoffberger informed the Commission that the "Smith House," on 6240 Falls Road in Bare Hills, had been demolished. (The house had been placed on the Final Landmarks List in response to the owner's request. Do to severe neglect, the County Office of Code Enforcement requested that it be demolished. The LPC voted to remove the "Smith House" from the FLL at the October 12, 2006 LPC meeting.)

Ms. Patricia Bentz, Executive Director of the Baltimore County Historical Trust, inquired what the Commission was doing about designating Landmark structures in the future and whether they were studying the County Inventory for potential Landmark structures.

Mr. Reynolds moved to adjourn the meeting. Mr. Syed seconded the motion which was approved unanimously on a voice vote. The meeting adjourned at 7:18 PM.