

**Minutes**  
**Baltimore County Landmarks Preservation Commission**  
**September 10, 2009 Meeting**

Mr. John Hill, Chairman, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6:05 p.m. The following Commission members were:

Present

Mr. John W. Hill, Chairman  
Mr. C. Bruce Boswell, Vice Chairman  
Ms. Carol Allen  
Mr. Robert P. Brennan  
Mr. Louis S. Diggs  
Ms. Nancy M. Hubers  
Ms. Wendy McIver  
Ms. Gloria McJilton  
Mr. Thomas J. Reynolds  
Ms. Norma Secoura  
Mr. Qutub K. Syed

Not Present

Mr. David Bryan  
Mr. Dean C. Hoover  
Ms. Nancy W. Horst

County staff present included, Jeff Long (Deputy Director of Planning), Karin Brown (Chief for Preservation Services), Teri Rising (Preservation Services staff) and Vicki Nevy (Secretary to the Commission).

**Review of the Agenda**

1. Ms. Brown advised the Commission that the changes to the Preliminary Agenda involved the withdrawal of a nomination, the addition of a tax credit project and an explanation about a new Landmark Nomination Form under Other Business.

**Approval of the Minutes**

2. Mr. Hill asked if anyone had any changes to make to the July 9, 2009 Minutes. Hearing none, Ms. Allen moved to approve the July 9, 2009 Minutes. Ms. McIver seconded the motion, which passed unanimously on a voice vote.

### **Consent Agenda**

3. Mr. Hill asked Ms. Brown to describe the items scheduled on the Consent Agenda. Mr. Hill noted that no one had signed up to speak with regard to any of the consent agenda items. Mr. Diggs moved that, for the reasons stated, and in accordance with the conditions stated in the written Action Summaries provided to the members of the Commission by staff, items 12, 14, 15, 17 and 18 be approved as submitted. Ms. McIver seconded the motion, which passed unanimously on a voice vote.

### **Public Hearing on Nomination to the Preliminary Landmarks List**

4. Towson Theatre, 512 York Road, Towson; County Inventory # CI-1457 (MIHP # BA-1457) [County Council District # 5]

This item concerned a third party nomination to the Landmarks List. Ms. Brown explained the nomination had been withdrawn and would not be heard at this meeting.

5. Baltimore Transit Substation, 10 Towsontown Boulevard, Towson; County Inventory # CI-1747 (MIHP # BA-1747) [County Council District # 5]

This item concerned a third party nomination to the Landmarks List.

Ms. Rising read staff's recommendation to vote to (a) place the "Baltimore Transit Substation" on the Preliminary Landmarks List under criteria (1) –for its association with the development of Towson and as an important artifact that represents transit history in Towson and Baltimore County (2) - as a distinctive and unusual example of colonial revival architecture used in the design of a substation building (b) to delineate the entire property .37 acres total, (map 70, parcel 174) as its historic environmental setting.

Mr. Lawrence Schmidt, attorney for the property owners, spoke in opposition to the nomination. Referring to the last sentence of the Nomination Form (Page 5) Mr. Schmidt noted the fact that the building is "attractive to passers-by and adds character to Towson's streetscape" is not a valid reason to consider the property for the Preliminary Landmarks List. He stated that when in use, the building only contained equipment for the trolleys, and was not associated with a person, place or event; nor was it designed in a particular style. He further explained that the site, on which the structure is located, is a separate parcel from that which is currently occupied by Wilson Lighting. Mr. Schmidt stated there is no room for parking on the parcel in question (parking is currently provided on the abutting Wilson Lighting lot). Mr. Schmidt believes that the lack of onsite parking severely constrains the building's land use potential.

The owner of the property, Mr. Oliver S. Traver, explained that he acquired the property in the 1980's from Baltimore County, which had used the dwelling as a tourist bureau. He described that he had to spend thousands of dollars to improve the property when he took possession. Mr. Traver indicated he felt it was unfair that the property had never been considered for landmark status during the years that the County owned the property.

Mr. Hill asked if there was an agreement to allow the person leasing the property to park on the adjacent lot. Mr. Traver explained there is.

Ms. Allen explained the nomination submitted by Historic Towson, Inc. was in response to that organization's efforts to be pro-active rather than reactive. She further stated that the Transit Company appeared to have felt that the location of the structure was significant, which would account for the distinctive and unusual architecture used in its design. Mr. Brennan and Ms. McIver agreed the unique design of the substation was indicative of the importance of where the structure was sited. Ms. Allen moved to place the "Baltimore Transit Substation" on the Preliminary Landmarks List under the criteria recommended by staff. Ms. Secoura seconded the motion.

Ms. Hubers commended Mr. Traver for being a good businessman and citizen and for keeping the property in such excellent condition.

Mr. Schmidt stated he had reservations about Ms. Allen participating in the decision process due to her involvement with Historic Towson, Inc. Mr. Hill asked Ms. Allen if she wanted to refrain from voting. Ms. Allen stated that she was just one of the numerous members of Historic Towson, Inc. and that she did not see a conflict of interest. Additionally, she felt that voting to support this nomination is her way of encouraging other commissioners to support preservation in the County, when property owners or community members don't do so themselves.

Mr. Latshaw commented he felt it was inappropriate to make a motion without having heard from all the speakers first. He questioned the building's historicity, noting that it is not mentioned in the book "Historic Towson". Mr. Latshaw asked furthermore, if the LPC has funds to reimburse the owner for the costs of maintaining a historic property. He stated that the owner could lose the opportunity to develop the property should it be placed on the Preliminary Landmarks List.

Mr. Schmidt reviewed the five criteria to be considered for finding a property eligible for the Preliminary Landmarks List and stated none applied in this case.

Mr. Hill reminded the Commission that a motion had been made and seconded and he called for a vote. The motion passed unanimously on a voice vote.

6. Morrill House, 20030 Valley Mill Road, Freeland; County Inventory # CI-3248 (MIHP # BA-3248) [County Council District # 3]

Cancelled due to incomplete nomination form

7. "Stone Cottage", 16 Cedar Avenue, Towson; County Inventory # CI-1758 (MIHP # BA-01758) [County Council District #5]

Nomination withdrawn

### **Public Hearing on Demolition Requests**

8. Alban House, 10922 York Road, Cockeysville; County Inventory # CI-3252 (MIHP # BA-3252) [County Council District # 3]

This item concerned a demolition request and the property's subsequent third party nomination to the Landmarks List.

Ms. Rising noted staff's recommendation to issue a notice to proceed with the demolition request.

Mr. Hill called upon those wishing to speak in support of the demolition. The owners of the property, George and Patricia Casper, explained the property had been inherited from Mr. Casper's father. They applied for a demolition permit due to the poor condition of the structure and noted the foundation is caving in. Mr. Casper noted he currently has no plans for the site once the structure is demolished.

Ms. Becky Gerber spoke in support of nominating the property to the Landmarks List. Ms. Gerber explained she had approached a gentleman, who had presented himself as the property owner, in an effort to learn more about the history of the structure. She felt the inquiry might have provoked the actual property owner to file a demolition permit. Ms. Gerber provided current photographs of the property and information in support of the nomination. She argued there were inaccuracies with the Baltimore Atlas and that it omitted structures that had been confirmed as being in existence by a newspaper writer from Pittsburgh during the civil war. She believes that slave labor was used to construct the building because Joshua Cockey, II and Joshua Cockey, III owned slaves at the time. She disputed staff's findings that the structure was not a blacksmith shop, alleging that the 1877 Hopkins Atlas shows a blacksmith's house as having been constructed at an angle to the road. Ms. Gerber asked the Commission to consider the historic value of the building as part of a cluster of structures that included the Cockeysville Bank.

Mr. Boswell asked to hear from the technical committee who visited the site. Mr. Brennan stated he had been to the site together with Ms. McIver and Ms. Brown. He explained they did not have any information from the community at the time of their visit and did not have access to the interior (Note: A key was provided by the owner, but the Technical Committee was unable to open the door). They found the structure to be very compromised and did not think it merited landmark status.

Ms. Gerber agreed that some of the additions compromised the original structure, but she felt that they could be removed and likened the structure to the Batchelor Store in Monkton, which had been fully rehabbed a few years ago.

Mr. Tim Bishop, a member of the Board of Directors of the Baltimore County Historic Trust, testified in support of the nomination. He noted the structure is noteworthy as one of a cluster of properties built in a village constructed by the Cockey family. The village known as Cockeysville is disappearing and the current deteriorated condition of the property makes it no less important or less valuable to the preservation of the historic village. Mr. Bishop noted furthermore that even the changes made to the structure over time have become historic in their own right.

Mr. Jose Parra, a current resident of Sherwood Hills, spoke of plans being developed for an East Coast Greenway, which may include the property in question. Mr. Parra felt it was important to support the nomination, because the Alban House contributes to the history of the area.

Ms. Jessie Wilkinson, also an area resident, spoke in support of the nomination and lamented the loss of the historic structures in the neighborhood.

Ms. Secoura moved to vote to place the “Alban House” on the Preliminary Landmarks List under criteria (1) – for its association with the Joshua Cockey Family (5) – as it may likely yield archaeological information or materials reflective of the lives of slaves living and working in the area. Mr. Diggs seconded the motion. The motion failed with Ms. Hubers, Mr. Syed, Ms. McJilton, Mr. Brennan, Ms. Allen and Ms. McIver voting against the motion.

Mr. Hill then called for a motion regarding the request to demolish the structure. Ms. McJilton moved to issue a notice to proceed with the demolition. Mr. Syed seconded the motion, which also failed with Ms. Hubers, Mr. Syed, Ms. McJilton, Mr. Hill, Ms. Allen and Ms. McIver voting for the motion. (Note: Staff contacted the Baltimore County Law Office on the subsequent day. According to the Assistant State’s Attorney, Mr. Mike Field, once the structure failed to be placed on the Preliminary List, the structure lost the protection granted under Title 7. Accordingly, it was not within the purview of the LPC to even consider the demolition request, that is, the demolition permit had to be approved like for any other non-historic structure.)

9. Regester Bungalow, 8772 Philadelphia Road, Rossville; County Inventory # CI-2430 (MIHP # BA-2430) [County Council District # 6]

Ms. Rising read staff's recommendation to vote to issue a notice to proceed with the demolition request.

Mr. Hill explained that this matter, like the subsequent issue, involves a demolition request for a structure that has a County Inventory number. The LPC would need to decide whether to place the property on the Preliminary Landmarks List or whether to approve the demolition request. Mr. Hill noted that a Technical Committee consisting of Ms. Horst, Mr. Diggs and himself, along with Ms. Brown, found the structure, as well as the neighboring property, not worthy of landmarks consideration.

Mr. Diggs moved to vote to issue a notice to proceed with the demolition. Mr. Boswell seconded the motion, which passed on a voice vote with Ms. Secoura voting against the motion.

10. Banks House, 8774 Philadelphia Road, Rossville; County Inventory # CI-2431 (MIHP # BA-2431) [County Council District # 6]

Mr. Boswell moved to vote to issue a notice to proceed with the demolition. Mr. Diggs seconded the motion, which passed on a voice vote with Ms. Secoura voting against the motion.

#### **Alteration to properties in County Historic Districts or Landmark structures**

11. Williams property, 8908 Liberty Road; contributing structure in the Fieldstone County Historic District; ex post facto replacement of windows [County Council District # 4]

Ms. Brown explained this matter was brought before the Commission after receiving complaints that the owner replaced windows on a contributing structure in a County Historic District without prior approval from the LPC. It appeared the windows were not original.

Mr. Reynolds moved to vote to issue a certificate of appropriateness. Ms. Hubers seconded the motion, which passed unanimously on a voice vote.

- \*\*12. Jackson property, 800 Francis Avenue, Relay; non-contributing structure in the Relay County Historic District; request to erect an open picket fence and gate around a portion of the front yard and side yard of the property [County Council District # 1]

*Approved via the consent agenda to issue certificate of appropriateness.*

13. Arman/Mintz property, 1721 Arlington Avenue, Relay; contributing structure in the Relay County Historic District; conversion of an existing rear porch to a three-season sun room [County Council District # 1]

Ms. Brown noted that this project involved a request to convert an existing rear porch to a three-season sunroom. The staff recommendation was to issue a certificate of appropriateness.

Mr. Boswell indicated that he was inclined to approve the project, but suggested the fenestration of the rear porch could be designed in a manner that is more compatible with the existing window pattern of the house. Ms. Secoura agreed.

Mr. Boswell moved to issue a certificate of appropriateness with the recommendation that the owners consider a more compatible fenestration pattern. Ms. Hubers seconded the motion, which passes unanimously on a voice vote.

- \*\*14. Boykin property, 4709 Butler Road; “Frock House”; County Inventory # CI-719 (MIHP # BA-719) contributing structure in the Glyndon County Historic District, Glyndon and Glyndon National Register District; request to erect a gothic picket fence (identical to a picket fence that formerly existed at the property) along portions of the back yard and across the front yard [County Council District # 3]

*Approved via the consent agenda to issue certificate of appropriateness.*

- \*\*15. Ruther property, 1915 Monkton Road, “Codd House”; County Inventory # CI-508 (MIHP # BA-508) contributing structure in the Monkton County Historic District, deck with integrated freestanding brick fireplace and chimney [County Council District # 3]

*Approved via the consent agenda to issue certificate of appropriateness.*

16. McIntosh Law Office, 600 Chesapeake Avenue, Towson; Final Landmarks List # 311, County Inventory # CI-98 (MHIP # BA-98); request to move the McIntosh Law Office, which is located at the Towson YMCA site, to a different location on the property.

Mr. Hill asked Mr. John Gontrum, the attorney representing the Towson YMCA, to describe the plans for moving the McIntosh Law Office. Mr. Gontrum explained that the current location was not the original site of the building. It had been moved there during the 1960s. Neither the existing foundation, nor the addition to the building is original. The request before the LPC was to approve moving the building to another location on the site to accommodate a new YMCA center.

Mr. Reynolds moved to issue a certificate of appropriateness for the relocation on the site of the structure. Mr. Syed seconded the motion.

Several commissioners inquired about the plans for the new YMCA center and how it would relate to the McIntosh Law Office. Mr. Gontrum responded that detailed elevations have not yet been completed. Mr. Boswell noted that the height of the new center and its proposed proximity to the McIntosh Law Office, might pose a problem. Mr. Gontrum responded that based on other YMCA buildings that have been recently constructed, the new building is unlikely to exceed a two-storied height. Mr. Hill suggested the YMCA consider drawing attention to the Landmarks structure via a plaque or marker that would provide information about the building's historic significance. Mr. Brennan felt the project presented is a wonderful opportunity to design the new center in a manner that would respect the historic structure and hoped the YMCA would take advantage of that circumstance.

Mr. Hill called for a vote on the motion to issue a certificate of appropriateness. The motion passed unanimously on a voice vote.

### **Applications for Tax Credit**

#### ***Request for LPC approval for County Part II Tax Credit application***

- \*\*17. Williams property, 743 Howard Road, Sudbrook Park County Historic District; repair and weather strip existing wooden windows and install storm windows [County Council District # 2]

*Approved via the consent agenda to issue certificate of appropriateness.*

- \*\*18. Drake property, 800 Hatherleigh Road, Stoneleigh National Register District, mold remediation [County Council District # 5]

*Approved via the consent agenda to issue certificate of appropriateness.*

19. Haywood property, 3612 Briarstone Road, Randallstown; contributing structure in the Fieldstone County Historic District; in-kind repair of slate roof; replacement of existing windows with wooden, in-kind windows [County Council District # 4]

Ms. Brown explained both she and the local advisory committee had been working with the new owner to consider options for the maintenance and repairs of this house.

The new owner, Mr. Haywood, explained his financing for the purchase and repair of the home was very specific as to what work had to be completed within a predetermined time frame. Specifically, the financing called for the replacement of the original windows and repair of the roof. The financing arrangements also



specified the amount of funds available for the window replacements and repair of the roof and required that the lender approve the contractor Mr. Haywood selected.

Mr. Hill, Mr. Boswell and Ms. Allen agreed that the preferred action would be to repair the original windows rather than replacing them. Mr. Diggs noted the local advisory committee had approved replacing the windows.

Mr. Reynolds commended Mr. Haywood for trying to work out a solution to the issues which all parties involved could agree on. Ms. Secoura stated the historic district restrictions over-ride restrictions the lender may impose.

Mr. Boswell moved to vote to issue a notice to proceed with the in-kind repair of the slate roof and replacement of existing windows with wooden, in-kind windows in the event the owner is not able to convince the lender that the LPC's preferred action would be to repair the original windows. Mr. Boswell offered to speak to the lender about the applicable historic guidelines and the positive impact retaining the windows would have on the property value. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

### **Other Business**

20. Resolution to allow staff to approve Tax Credit Applications in emergency situations

Ms. Brown explained the Resolution would allow staff to approve tax credit applications in emergency situations that required quick action, like in the case of a leaky roof, or a failing heating system during the winter months. Ms. Brown noted that Mr. Mike Field had reviewed the resolution and found it did not present any legal issues.

Mr. Diggs moved to vote to accept and approve of the Resolution. Ms. McIver seconded the motion, which passed unanimously on a voice vote.

Prior to the conclusion of the meeting, Ms. Brown reminded the commissioners that the Fall Retreat was scheduled for October 29, 2009 at Emory Grove Hotel in Glyndon.

The tentative meeting schedule for 2010 was presented and Ms. Nevy noted the November 2010 meeting would need to be rescheduled because it fell on Veterans Day.

Finally, Ms. Brown presented the newly revised Landmark Nomination Form, noting the changes require that the criterion/criteria under which the property is being nominated be specified. Additionally, in the event the nomination is being submitted by a third-party, the applicant has to describe the effort made in contacting the property owner.

Ms. Allen moved to adjourn the meeting. Mr. Reynolds seconded the motion, which was approved unanimously on a voice vote. The meeting adjourned at 8:40 p.m.

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