

Minutes
Baltimore County Landmarks Preservation Commission
January 8, 2015 Meeting

Call to order; introduction of Commission members; pledge of allegiance to the Flag; statement of purpose and operating procedures

Mr. Rob Brennan, Chairperson, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6: 00 p.m. The following Commission members were:

Present

Mr. Robert P. Brennan, Chairperson
Ms. Nancy W. Horst, Vice-Chair
Ms. Carol Allen
Ms. Rose A. Benton
Mr. C. Bruce Boswell
Mr. David J. Bryan
Mr. Louis Diggs
Ms. Faith Nevins Hawks
Mr. Jonathan Herbst
Mr. Ed Hord
Mr. Stephen P. Myer
Mr. Christopher S. Norman
Mr. David S. Thaler
Mr. Qutub U. K. Syed

Not Present

Mr. Mitch Kellman

Attending County staff, Andrea Van Arsdale (Director, Department of Planning), Jeff Mayhew (Assistant Director, Department of Planning), Karin Brown (Chief, Preservation Services), Teri Rising (Preservation Services staff), and Vicki Nevy (Secretary to the Commission).

1. Annual Election of Chair and Vice-Chair

Mr. Brennan stated that the annual election of officers was at hand. He asked for nominations. Mr. Boswell moved to nominate Mr. Brennan as Chair and Mr. Diggs seconded the motion. The motion passed unanimously on a voice vote.

Mr. Myer moved to nominate Ms. Horst as Vice-Chair and Mr. Diggs seconded the motion. Mr. Brennan called for a vote on the motion to nominate Ms. Horst as Vice-Chair, which passed unanimously on a voice vote.

2. **Review of the Agenda**

Ms. Brown noted the only change made to the Preliminary Agenda was the addition of one item.

3. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the November 13, 2014 Minutes. Hearing none, he called for a motion to approve the Minutes as drafted. Mr. Hord moved to approve the Minutes. Mr. Myers seconded the motion, which passed unanimously on a voice vote.

4. **Consent Agenda**

Ms. Brown read the Action Recommendations for Consent Agenda Items 6, 8 and 9.

Mr. Brennan called for a motion. Ms. Horst moved to approve the Consent Agenda items. Mr. Diggs seconded the motion, which passed unanimously on a voice vote.

Public Hearing on a Nomination to the Preliminary Landmarks List

5. “Somogyi House” and setting, 1501 Somogyi Road, Essex [County Council District #7]

Postponed to February 12, 2015 at owner’s request

Alteration to properties in County Historic Districts or Landmark structures

- **6. Seipp property, 217 Melancthon Avenue, contributing structure in both the Lutherville County Historic District and Lutherville National Register Historic District; replacement and extension of a currently existing rear deck [County Council District #3]

Approved via the consent agenda to issue a Notice to Proceed.

7. “Dumbarton” (Rigamonti property), 3412 Old Forest Rd., Pikesville vicinity, expansion of a stone terrace involving alterations to two openings of a later addition to the house. [Council District #2]

Ms. Brown explained the matter consists of a proposal to expand an existing stone terrace, which involves alterations to a later addition of this landmarks structure. She indicated a Technical Committee consisting of Ms. Horst and Messrs. Brennan, Boswell

and Myer had visited the site. While they liked the proposal overall, they asked the applicant to make a few changes to the original plans.

Mr. Patrick Jarosinski, the architect, stated the homeowners agreed to the changes proposed by the Technical Committee. He noted the primary change involved the request to line up the proposed door and existing window located on the first floor with the second story double windows. The other change involved replacing a proposed outdoor fireplace, which would have had a two story chimney, with a fire pit.

Mr. Hord moved to vote to issue a Certificate of Appropriateness for the revised plan. Mr. Boswell seconded the motion which passed unanimously on a voice vote.

- **8. “Healy House” (Taylor property), 222 Central Avenue, Glyndon; contributing structure in both the Glyndon County Historic District and Glyndon National Register Historic District; construction of a split rail fence in the rear yard of the property [Council District # 3].

Approved via the consent agenda to issue a Notice to Proceed.

Applications for Tax Credit

- **9. Majerik property, 7401 Stanmore Court, contributing structure in the Rodgers Forge National Register Historic District; in-kind slate repairs [County Council District #5]

Approved via the consent agenda to issue a Certificate of Appropriateness.

Report on County Tax Credit applications approved, or emergency repair approved

The following historic property tax credit application was approved by staff as an emergency repair or due to the receipt of Part II approval for work reviewed by MHT:

Barthelme property, 705 Chumleigh Road, contributing structure in the Stoneleigh National Register Historic District; boiler replacement and installation of high velocity HVAC system [County Council District #5]

Davis property, 1510 Bellona Avenue, contributing structure in the Lutherville National Register Historic District and Lutherville County Historic District; in-kind roof replacement with addition of a vent at the ridge of a flat dormer roof in the rear of the house [County Council District #2]

Other Business

10. Shaw's Discovery update

Ms. Brown explained this matter involved a Demolition by Neglect code violation. At the June 12, 2014 meeting, the LPC voted to "mothball" the building. She noted the LPC had specifically asked the owner replace the roof, gutters and downspouts, close all openings to prevent animals from entering the building, grade the soil surrounding the building to prevent water from entering, treat the building for termites and repair the damage already caused by termites. All of the work was to be completed by December 12, 2014. That vote was then communicated to the Building Engineer who incorporated the above recommendations into his correction notice.

Ms. Brown reported a Technical Committee consisting of Ms. Nevins and Messrs. Myer, Brennan and Boswell visited the site on December 12, 2014 to determine whether the work had been completed as instructed. Ms. Brown indicated the Technical Committee found that with the exception of a few finishing details, which were subsequently completed and the repair of the interior termite damage, which the owner's engineer advised was better performed at the time of the building's rehabilitation, the Technical Committee found the work met the spirit and intent of the correction notice and supported staff's memo to the Building Engineer indicating such.

Ms. Patsy Malone, attorney to the current property owner, noted the property consists of approximately 200 acres and it is the intent of the owner to develop the lot as a townhome community. She explained the subject structure has yet to be subdivided into a separate lot and therefore a separate plat has yet to be recorded.

In the event the structure remains in the possession of the current owner, Mr. Boswell suggested the site be revisited in May, 2015.

Mr. Thaler explained that while he is in full support of the Technical Committee's findings, he questioned their authority to actually approve the work and objected to the wording of the memo to the Building Engineer.

Ms. Brown noted Mr. Thaler's objection and indicated the memo was a draft and would be revised to reflect his concerns.

Mr. Thaler moved to vote to accept the Technical Committee's report that the owner satisfied the requirements of the correction notice issued by the Building Engineer. Mr. Myer seconded the motion which passed unanimously with Mr. Hord abstaining from the vote.

11. Skillman property, 905 Adana Road, contributing structure in the Sudbrook Park County Historic District; reconsideration of tax credit program eligibility

Ms. Brown explained that this matter concerns a request to reconsider a vote made by the LPC on February 26, 2014. Providing background information she reported that a few years ago staff and a task force tried to tighten the historic tax credit program via policy initiatives. One of the issues the task force tried to address was how to deal with property

owners who did some of the work in accordance with the Secretary of the Interior's Standards and some not. The joint consensus at that point in time (February 2014) was to designate a homeowner who had performed work contrary to the Secretary's Standards (that is, replaced a character defining feature with materials different from the original) as ineligible for future tax credits. The rationale for that decision was that the tax credit program intends to encourage people to do the rehabilitation work in accordance with the Secretary's Standards, in exchange for which the property owner receives 20 percent of the rehabilitation costs to be applied towards the property tax. (The State offers another 20 percent against the income tax. The State's program restricts future ineligibility to the period wherein the property owner receives a tax credit. Because the task force could not implement changes to the law, they were limited as to how they could correct this weakness and staff subsequently gave up on that policy initiative).

In February, Ms. Skillman, who had submitted numerous historic rehabilitation tax credits, came before the LPC with a request to replace her slate roof, which was damaged beyond repair by a falling tree, with asphalt shingles. The LPC permitted the owner to replace the slate roof with asphalt shingles, but declared that she would be henceforth ineligible for tax credits. This policy was subsequently abandoned, and subsequent tax credit applicants who asked to replace their slate roofs with asphalt shingles (mostly in that particular road of Sudbrook Park) were not designated as ineligible for future tax credits.

Ms. Brown indicated staff felt the owner was justified in asking for reconsideration and recommended the February 26, 2014 decision be rescinded.

Mr. Bryan moved to vote to reinstate the property's eligibility for the Baltimore County Historic Tax Credit program for future tax credit applications. Mr. Boswell seconded the motion which passed unanimously on a voice vote.

The possibility of rescheduling the April, 2015 meeting due to the celebration of Passover was discussed. It was decided that staff would look into the need to do so and advise the LPC afterwards.

Mr. Hord moved to adjourn the meeting. Mr. Bryan seconded the motion, which was approved unanimously on a voice vote. The meeting adjourned at 6:34 p.m.

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