

Minutes
Baltimore County Landmarks Preservation Commission
July 13, 2017 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 6:01 p.m. The following Commission members were:

Present

Ms. Carol Allen
Mr. Robert P. Brennan, Chair
Mr. Louis Diggs
Ms. Faith Nevins Hawks
Mr. Mitch Kellman
Ms. Wendy McIver
Mr. Stephen P. Myer
Mr. Richard Yaffe
Mr. Qutub U. K. Syed

Not Present

Ms. Rose A. Benton
Mr. C. Bruce Boswell
Mr. Ed Hord
Ms. Nancy W. Horst, Vice Chair
Mr. David S. Thaler

Attending County staff, Jeff Mayhew (Deputy Director, Department of Planning), Teri Rising (Preservation Services staff) and Vicki Nevy (Secretary to the Commission).

1. **Review of the Agenda**

Ms. Rising reported one agenda item was pulled from the Preliminary Agenda published on July 6, 2017.

2. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the June 8, 2017 Minutes.

Hearing none, Mr. Brennan called for a motion to approve the Minutes as drafted.

Mr. Myer moved to approve the Minutes as drafted. Mr. Diggs seconded the motion, which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs,

Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

3. Consent Agenda

Ms. Rising read the Action Recommendation for Consent Agenda Items 9, 11, 12, 13 and 15.

Mr. Brennan called for a motion. Ms. Allen moved to approve the consent agenda items as presented. Mr. Diggs seconded the motion, which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

Items for Discussion and Vote

4. Presbyterian Home of Maryland, (house, accessory structure & setting), 400 Georgia Court; Public Hearing on Nomination to the Preliminary Landmarks List [County Council District #5]

Postponed to September 14, 2017

5. “Richardson House”, White property, 5120 S. Rolling Road, contributing structure in the Relay County Historic District, MIHP # BA-2507; Code Enforcement Correction # CB1700320, request for repair of deteriorated features [County Council District #1]

Ms. Rising indicated the proposal for general repairs to address the structure’s existing conditions was received in response to a Code Enforcement Notice issued after a constituent complaint was received about the general lack of maintenance and deteriorating features of the property. She reported staff had contacted the owner in 2012 in response to concerns about deferred maintenance. At that time, the homeowner indicated the house was not occupied and cited health issues which prevented him from addressing matters in need of maintenance

Ms. Rising stated staff was finding it difficult to ascertain the status of historic versus replaced materials on the structure and therefore was recommending a Technical Committee be organized for the purpose of identifying materials, evaluating conditions and prioritizing specific measures to be taken to properly rehabilitate and protect the structure.

Mr. Brennan determined the property owner was not present.

Mr. Myer moved to vote to (1) form a Technical Committee to visit the site and work with the owner for the purpose of assessing the structure's condition and items needing repair in response to the Code Enforcement Correction Notice, the recommended steps to be presented at the September 14, 2017 LPC meeting for approval and vote and (2) authorize the members of the Technical Committee to approve any emergency repair work outside of routine maintenance requiring completion before the September 14, 2017 meeting.

Ms. Allen seconded the motion, which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

Citing Baltimore County Code Section 32-7-403, Section 32-7-503 and Resolution Establishing Procedures & a Timeframe wherein violations to Section 32-7-403 of the Baltimore County Code must be corrected (adopted 10/15/08)

6. "Kroll House", Dent property, 5009 Cedar Avenue, contributing structure in the Relay County Historic District, MIHP # BA-2503; Code Enforcement Correction # CB1700321, ex-post facto replacement of existing front porch wood decking with composite porch decking and replacement of 2 existing square porch columns with wood columns to match previously existing round wood columns [County Council District #1]

Ms. Rising indicated a Code Enforcement Officer had visited the site in response to a constituent complaint having been received that work not previously authorized by the LPC was ongoing. A Code Enforcement Correction Notice was subsequently issued. The property owner promptly stopped the work and filed a request for ex-post facto replacement of the existing front porch wood decking with composite porch decking and replacement of 2 existing square porch columns with woods columns to match previously existing round wood columns.

The property owner, Mr. Gregory Dent, was present and addressed the Commission. He explained the house had been in his family for many years and he maintained it as a rental property. He indicated the contractor working on the porch repairs installed the square columns on a temporary basis only until such a time as round columns could be located. Mr. Dent reported having since purchased round wood columns matching the previously existing wood columns. Mr. Dent stated he's requesting approval for installation of composite decking in an effort to avoid replacing the wood decking as often as he has over the past several years.

Mr. Brennan noted the Secretary of Interior Standards supports the repair or in-kind replacement of materials rather than installation of non-original composite materials.

In response to questions asked by Commission Members, Mr. Dent indicated he has replaced the wood decking on the porch twice over the course of the past 12 years and the round wood columns he is proposing to install have a 29 inch circumference measurement whereas the existing columns have a 30 inch circumference.

Mr. Yaffe suggested the Commission support the installation of composite decking materials as long as the fascia remains wood. Mr. Syed noted the Commission has supported the installation of composite decking in other instances.

Ms. Rising cautioned the Commission about supporting the installation of composite decking in this instance based upon prior instances. She explained that in this particular instance, prominent wood front porches are important character defining features of contributing structures in the Relay County Historic District. Prior instances may not have shared the same character defining features or be subject to the same restrictions as structures in a County Historic District. Ms. Rising also explained the property owner would not be able to pursue a residential tax credit application as the property is not his primary residence.

Mr. Myer moved to vote to approve the ex-post facto in-kind replacement of wood round porch columns with wood round columns matching those previously removed and approval for the removal of existing wood front porch decking to be replaced with pressure treated solid yellow pine wood porch decking of a style matching the existing wood front porch decking and establishing a timeframe for correction of no later than February 8, 2018. Ms. Allen seconded the motion.

Mr. Yaffe asked the property owner if he would agree to using pressure treated solid yellow pine wood instead of composite decking materials. Mr. Dent said he had not realized such a material was available and that, yes, he would agree to using pressure treated solid yellow pine wood decking.

The motion passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

Mr. Dent asked for confirmation that the round wood columns with a 29 inch circumference which he proposed installing were approved for installation. Mr. Brennan confirmed they were.

Citing Baltimore County Code Section 32-7-403, Section 32-7-503, Baltimore County Historic Design Guidelines: Porches & Steps, p. 1, pp. 3-4 and Resolution Establishing Procedures & a Timeframe wherein violations to Section 32-7-403 of the Baltimore County Code must be corrected (adopted 10/15/08)

7. O'Haro property, 5008 Cedar Avenue, empty lot remaining after previously existing contributing structure was destroyed in a fire, Relay County Historic District; in-fill construction of a two story house with brick and stone veneer front façade, front stucco accents, vinyl siding elsewhere and a three bay side loaded attached garage [County Council District #1]

Ms. Rising explained the property owner contacted staff very late in the day to request the application be withdrawn. She also explained the property owner had been informed that a previously proposed design was totally inconsistent with the Historic Design Guidelines for Infill and that the property owner had failed to submit requested material specifications for both the previously proposed design and the currently proposed design.

After a brief discussion about the withdrawn proposal withdrawn, Mr. Brennan directed staff to advise the property owner that the withdrawn proposal would likely not be approved. The apparent use of inappropriate materials such as vinyl siding and engineered veneers, an exceedingly large scale and a prominent front façade garage were cited as examples of problems with the design as it relates to the Relay County Historic District. Suggestions for a more appropriate structure included a more simplified general design, a more moderate use of gables and a less prominently featured garage were expressed.

8. Monde property, 1554 S. Rolling Road, contributing structure in the Relay County Historic District, MIHP # BA-2531; reconsideration request for Part II approval for the addition of insulation where none currently exists in the attic [County Council District #1]

Ms. Rising reported the tax credit application proposal for the addition of insulation where none currently exists was previously not approved. The homeowner is requesting the installation be reconsidered citing Preservation Brief #31, *Improving Energy Efficiency in Historic Buildings*.

Ms. Rising continued and noted when equipment is located in the attic and with the expectation that all vents in the attic and between the wall and roof are sealed, the Brief does recommend insulation being installed along attic rafters. However, the proposed use of open cell foam is not recommended directly on wood attic roofs due to its ability to permeate the wood. The Brief also recommends avoiding that type of insulation when there are gaps in the sheathing because it could expand under the shingles and/or disguise leaks that could occur. The Brief does say that installing a breathable barrier prior to the use of that type of insulation is preferable when the equipment is located in the attic. Both can be removed without harm and it will not trap moisture. As proposed, staff finds the project does not include the implementation strategy and additional materials as recommended by the National Park Service but the Commission could consider a future request provided that the strategy is implemented and recommended materials are proposed.

Mr. Brennan determined no one present wished to speak on the subject.

Mr. Yaffe moved to vote to not issue a Certificate of Appropriateness and to authorize staff to approve a subsequent application should the implementation strategy recommended in Preservation Brief #31 be proposed and if the recommended materials noted in Preservation Brief #31 are proposed. Ms. McIver seconded the motion which

passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

Citing Baltimore County Code, Section 11-2-201 and National Park Service, Technical Services, Preservation Brief #31, Improving Energy Efficiency in Historic Buildings.

- **9. Wales property, 31 Dunkirk Road, contributing structure in the Rodgers Forge National Register Historic District; Part II approval for the in-kind repair/repoint of the existing brick chimney and crown [County Council District #5]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

Citing Baltimore County Code, Section 11-2-201 and Baltimore County Historic Design Guidelines: Roofs, p. 11.

10. Irvin property, 11908 Jericho Road, contributing structure in the Franklinville County Historic District; installation of composite material plank shutters for each front window [County Council District #3]

Ms. Rising introduced the proposal for installation of shutters where none currently exist. She indicated there are some examples of similar houses with louvered shutters in the Franklinville County Historic District, however, the proposed style is not consistent with the type of architecture found in the historic district.

Referring to the Historic Design Guidelines, Ms. Rising noted wood shutters may be approved if there is evidence shutters previously existed and if shutters appear as if they could close. For this particular house, the spacing between the windows and doors, while possibly altered, does not appear to allow shutters to hang in such a manner that they could appear to close and there is no evidence shutters previously existed. The National Park Service also says substituting new building elements of a different design than the historic elements, embellishing simple unadorned facades with high-style details, or adding features borrowed from a different period should be avoided. They also say conjectural changes create a false sense of historical development and are contrary to the Secretary of the Interior's Standards for Rehabilitation. For these reasons, Ms. Rising read staff's recommendation to vote to not to issue a Certification of Appropriateness.

Mr. Brennan determined the applicant was not present and no one present wished to discuss the proposal.

Mr. Diggs moved to vote to not issue a Certificate of Appropriateness. Mr. Syed seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

Citing Baltimore County Code, Section 32-7-403 and Baltimore County Historic Design Guidelines: Windows & Doors, p. 6; National Park Service, Technical Preservation Services, Interpreting the Standards Bulletin #38 – Alterations Without Historical Basis.

- **11. Connors property, 230 Dunkirk Road, contributing structure in the Rodgers Forge National Register Historic District; Part II approval for extensive brick, masonry and lintel repairs [County Council District #5]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

Citing Baltimore County Code, Section 11-2-201 and Baltimore County Historic Design Guidelines: Roofs, p.11

- **12. Seidel property, 124 Regester Avenue, contributing structure in the Rodgers Forge National Register Historic District; Part II approval for the in-kind replacement of the existing air conditioning condenser [County Council District #5]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

Citing Baltimore County Code, Section 11-2-201 and National Park Service, Technical Preservation Services, Preservation Brief #24 – Heating, Ventilating, and Cooling Historic Buildings – Problems and Recommended Approaches

- **13. Mitchell property, 411 Murdock Road, contributing structure in the Rodgers Forge National Register Historic District; Part II approval for the installation of central air-conditioning where none currently exists [County Council District #5]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

Citing Baltimore County Code, Section 11-2-201 and National Park Service, Technical Preservation Services, Preservation Brief #24 – Heating, Ventilating, and Cooling Historic Buildings – Problems and Recommended Approaches.

14. Schneider property, 1720 Arlington Avenue, non-contributing structure in the Relay County Historic District; installation of a 6 foot aluminum fence and installation of a 6 foot wood privacy fence in the rear yard [County Council District #1]

Ms. Rising introduced the application for installation of a rear privacy fence consisting of both a 6 foot tall wood board and 6 foot tall aluminum rail fence. She reported the property is situated at the edge of the historic district, a few houses from the train tracks and backs to properties not located within the boundaries of the District. She noted

staff's only recommendation is to approve installation of the wood fence rather than the proposed aluminum fence on the south side (where a wood fence is already located) so the wood fence runs continuously along that side of the yard with the aluminum relegated to the front like on the north side.

Mr. Brennan determined the applicant was not present and no one present wished to discuss the proposal.

Mr. Myer moved to vote to issue a Certificate of Appropriateness for the installation of a 6 foot tall aluminum fence to be installed along the front portions of the rear yard and installation of a 6 foot tall wood privacy fence to be installed along both sides of the rear yard and across the rear property line. Mr. Diggs seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes

Citing Baltimore County Code, Section 32-7-403 and Baltimore County Historic Design Guidelines: Fences & Landscape, pp. 3-4.

- **15. "Tolley House", Beverley property, 16202 Corbett Village Lane, contributing structure in the Corbett County Historic District and Corbett National Register Historic District, MIHP # BA-2246; Part II approval for the installation of a high velocity air conditioning system [County Council District #3]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

Citing Baltimore County Code, Section 11-2-201 and National Park Service, Technical Preservation Services, Preservation Brief #24 – Heating, Ventilating, and Cooling Historic Buildings – Problems and Recommended Approaches.

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

Barnett property, 903 Adana Road, contributing structure in the Sudbrook Park County Historic District (Expansion #2); installation of a chimney liner and the in-kind repair of existing window wells [County Council District #2]

Other Business

Mr. Syed moved to adjourn the meeting. Mr. Diggs seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Diggs, Ms. Hawks, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Yaffe and Mr. Syed. There were no dissenting votes.

The meeting adjourned at 7:25 p.m..

VKN:vk