

**Minutes**  
**Baltimore County Landmarks Preservation Commission**  
**April 14, 2016 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 6:02 p.m. The following Commission members were:

Present

Mr. Robert P. Brennan, Chair  
Ms. Carol Allen  
Ms. Rose A. Benton  
Mr. C. Bruce Boswell  
Mr. Louis Diggs  
Ms. Nancy W. Horst, Vice-Chair  
Mr. Mitch Kellman  
Mr. Stephen P. Myer  
Mr. Qutub U. K. Syed  
Mr. David S. Thaler  
Mr. Richard Yaffe

Not Present

Ms. Faith Nevins Hawks  
Mr. Ed Hord  
Mr. Christopher S. Norman

Attending County staff, Teri Rising (Preservation Services staff), and Vicki Nevy (Secretary to the Commission).

1. **Review of the Agenda**

Ms. Rising noted the only change to the Preliminary Agenda published April 7, 2016 was a minor change to the proposal for Item #4.

2. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the March 10, 2016 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, Ms. Benton, Mr. Boswell,

Mr. Brennan, Mr. Diggs, Ms. Horst, Mr. Kellman, Mr. Myer, Mr. Syed, Mr. Thaler and Mr. Yaffe and no dissenting votes.

### **Items for Discussion and Vote**

3. “National Distiller’s Products (Baltimore Pure Rye) Water-tower/Smokestack”, (Foundry Station Planned Unit Development-PUD), 7101 Sollers Point Road, Dundalk, Final Landmarks List #262, MIHP #BA-3011; recommendation to Planning Board for Foundry Station PUD Plan [County Council District #7]

Ms. Rising explained that the Foundry Station PUD development area includes a smoke stack and water-tower formerly associated with a distillery operation and per Baltimore County Code Section 32-4-231 (a) (3), development projects involving a landmark requires a referral to the Planning Board from the LPC. Ms. Rising noted that although the entire distillery operation complex was added to the preliminary landmarks list in 2004, only the smoke stack and water-tower were landmarked in 2005.

Ms. Rising reported that a technical committee had visited the site and prepared and circulated a report. She commented that graffiti is visibly apparent on the smoke stack and cell antennas are currently attached. She indicated staff recommended the graffiti be removed in such a way that is sensitive to the brick and mortar and also suggested the status of the cell antennas be verified so they can be removed if no longer in use. Staff also recommended any deficient areas on the water tower due to damage or rust should be addressed and the tower repainted.

Mr. Chris Mudd, representing the developer, was present and offered a brief history of the project since his clients purchased the property. He introduced Mr. Matt Bishop and Mr. Brian Siebling of MRA who in turn offered specific information about site constraints and design plans.

Mr. Brennan asked about the structural integrity of both the smoke stack and water-tower. Mr. Siebling explained he prepared a preliminary assessment of both structures based upon inspection from the ground. He found both structures to be in fair condition with the smoke stack having fewer visual issues and potential issues on the water-tower bowl.

Mr. Mudd indicated that the cost estimates for a full scale inspection of the structures was not feasible at this time because plan review was still in process, however, a full scale, high level evaluation is planned once the plan is approved. The developers intend to address any condition issues found once that evaluation is completed. At this time, they plan on rehabbing the structures to the point where they will not require additional work for years and for that work to be completed before the structures are turned over to the Homeowners Association. The Homeowners Association for the community will be responsible for maintenance going forward with funding being factored into the budget established by the developers for the Homeowners Association.

Mr. Boswell stated he felt the full scale evaluation should be conducted during the development process and that any condition issues revealed should be addressed now rather than later.

Ms. Rising noted current plans are still being reviewed at this point and have not advanced to the point yet where work is ready to begin.

Mr. Thaler asked to hear from the Technical Committee having visited the site. Mr. Myer explained he and others toured the site and found the smoke stack to be tapered and while there may be some issues with the mortar, it remains as true as it most likely ever existed. He repeated the recommendation offered in the report with regard to how to block up the opening which will be created when the smoke stack is disconnected from a currently adjacent building. Mr. Myer mentioned a barrel building remains on the site and contains a tremendous amount of wood timbers which he would hope is re-used or re-purposed.

Mr. Syed questioned the density allowed for the project. Mr. Mudd responded that higher density is allowed in this case because as a Planned Unit Development project, other benefits to the community are provided in exchange for a higher density permitted by zoning.

Mr. Myer moved to vote to offer support for the Foundry Station PUD as proposed and advise the Planning Board that the plan is appropriate for the preservation of the landmarked structures. Mr. Thaler seconded the motion which passed with affirmative votes being cast by Ms. Allen, Ms. Benton, Mr. Boswell, Mr. Brennan, Mr. Diggs, Ms. Nevins Hawks, Ms. Horst, Mr. Kellman, Mr. Myer, Mr. Syed, Mr. Thaler and Mr. Yaffe. There were no dissenting votes cast.

*Citing County Code, Section 32-4-231 (a) (3) (Planning Board Comments)*

4. Lee property, 3616 Stoneybrook Road, non-contributing structure in the Fieldstone County Historic District; request for extension – LPC Order to restore dated April 10, 2014 [County Council District #4]

Ms. Rising reported this matter involves an ex-post facto request made by the homeowner in response to a complaint originating from the community in the spring of 2014. The homeowner was in the process of installing a wood deck over an existing front porch when the complaint was filed. While the home is not a contributing structure, the community did not support the request as it was not consistent with the community's design guidelines or visually appropriate for the front yard of a home. The ex-post facto request was declined and on April 10, 2014, the homeowner was instructed to remove what was partially constructed with the expectation that the existing condition be restored or an appropriate option be presented for review. Such an option was considered and approved on May 8, 2014. Ms. Rising explained the LPC approved an extension of time

for the removal and reconstruction on April 9, 2015. While the owner notified staff that work was underway in September, 2015, he did not respond to staff's attempts to reach him until April 13, 2016 at which time he requested an extension through the end of the month with assurance that the approved proposal would be completed. Staff's recommendation is to support the owner's request but recommends an automatic referral to Code Enforcement for further action to include the removal of the unapproved front porch deck as instructed and restoration of the previously existing condition if the alternative approved by the LPC is not constructed.

Mr. Yaffe suggested a 30 day extension be approved as April is frequently rainy.

Mr. Boswell noted the homeowner has already had two years to complete the project.

Mr. Myers moved to vote to approve the extension request through May 31, 2016 with an automatic referral to Code Enforcement for action per the LPC letter dated April 14, 2014 if not completed. Mr. Yaffe seconded the motion with affirmative votes being cast by Ms. Allen, Ms. Benton, Mr. Boswell, Mr. Brennan, Mr. Diggs, Ms. Nevins Hawks, Ms. Horst, Mr. Kellman, Mr. Myer, Mr. Syed, Mr. Thaler and Mr. Yaffe. There were no dissenting votes cast.

*Citing Baltimore County Code, Section 32-7-403; Resolution Establishing Procedures & a Timeframe wherein violations to Section 32-7-403 of the Baltimore County Code must be corrected (adopted 10/15/08); County Code, Section 3-6-203 and Baltimore County Historic Design Guidelines: Porches & Steps, p. 2 & p. 4; Fences & Landscape, p. 4 and Fieldstone Historic District Guidelines, pp. 16-17*

5. "Mersinger House", Mosner/Bubnash property, 14 Chatsworth Avenue, contributing structure in the Glyndon County Historic District and Glyndon National Register Historic District, MIHP #BA-0737; replacement of existing privacy fence along a 60 foot portion of the side/rear yard and existing 15 foot portion behind a garage in the back yard, in-kind replacement of an existing garage roof and repair of existing brick sidewalks to include a concrete underlayment [County Council District #3]

Ms. Rising described the proposals and indicated the homeowner reports the bricks in the sidewalk become easily dislodged due to wear and weather conditions. Staff supported the proposed changes to the garage roof and fencing and felt the addition of concrete underneath the brick sidewalk would allow the look to be kept while alleviating safety and maintenance issues for the homeowner. Ms. Rising added one caveat to the staff recommendation which was the existing cupola on the garage roof should be restored to its existing location once the garage roof has been replaced.

The homeowner was present and offered to answer any questions.

Mr. Boswell asked about the recommendation to restore the cupola to its current location. Ms. Rising explained that when staff reviewed the application, the contractor's proposal failed to mention the cupola. Staff thought it best to specifically mention the cupola rather than making an assumption that it would be returned to its existing location once

the work was completed. Mr. Boswell stated he felt the garage was a rather modern shed and that he doubted the cupola was providing any ventilation. He preferred to let the property owner decide whether or not to re-install the cupola and to decide whether to return it to its existing location or perhaps center it on the repaired roof.

After some discussion about the existing cupola on the garage roof, Mr. Boswell moved to vote to issue a Certificate of Appropriateness for the work as proposed with replacement of the cupola being at the owner's discretion and with the recommendation that the cupola be centered on the roof should the owner decide to re-install it. Ms. Allen seconded the motion with affirmative votes being cast by Ms. Allen, Ms. Benton, Mr. Boswell, Mr. Brennan, Mr. Diggs, Ms. Nevins Hawks, Ms. Horst, Mr. Kellman, Mr. Myer, Mr. Syed, Mr. Thaler and Mr. Yaffe. There were no dissenting votes cast.

*Citing Baltimore County Code, Section 32-7-403 and Baltimore County Historic Design Guidelines: Fences & Landscape, p. 1 and p. 4; Roofs, pp. 10-12.*

6. "Price House", Miller property, 501 Bond Avenue, Final Landmarks List #105, MIHP #BA-0762, contributing structure in the Glyndon National Register Historic District [County Council District #3]; in-kind repair/replacement/painting of exterior siding/trim/porch, replace existing kitchen windows (2) with true divided pane wooden windows to match original openings, secure remaining existing 1<sup>st</sup> floor window openings with plywood and/or existing shutters and secure existing 2<sup>nd</sup> and 3<sup>rd</sup> floor window openings.

Ms. Rising noted the application concerns a Code Enforcement Correction Notice issued March 2, 2016 in response to community complaints regarding lack of maintenance of a landmark structure and investment property. Ms. Rising explained the owner responded to the Correction Notice immediately and submitted an application to repair some specific elements of the structure and additional items to essentially mothball the building.

A Technical Committee consisting of Faith Nevins-Hawks, Louis Diggs, Steve Myer, Vicki Nevy and Teri Rising visited the site and a report of their findings was offered. Mr. Myer elaborated on the report pointing out the structure has a total of 42 windows, is generally in good condition and that the roof is new.

Ms. Karen Miller, owner of the property, was present and indicated she takes the recommendations of the LPC seriously and intends to follow through with the advice offered by the Technical Committee. In response to a question from Mr. Thaler about her intentions for the property, Ms. Miller answered she hopes to eventually live in the house.

Mr. Diggs moved to vote to issue a Certificate of Appropriateness for the work as proposed. Mr. Myer seconded the motion with affirmative votes being cast by Ms. Allen, Ms. Benton, Mr. Boswell, Mr. Brennan, Mr. Diggs, Ms. Nevins Hawks, Ms. Horst, Mr. Kellman, Mr. Myer, Mr. Syed, Mr. Thaler and Mr. Yaffe. There were no dissenting votes cast.

*Citing County Code, Section 32-7-403; County Code, Section 3-6-203; County Code, Section 35-2-404, Resolution Establishing Procedures & a Timeframe wherein violations to Section 32-7-403 of the Baltimore County Code must be corrected (adopted 10/15/08) and citing Baltimore County Historic Design Guidelines: Façade Materials, pp. 1-2; Porches & Steps, pp. 3-4; Windows & Doors, p. 2, p.4, p.6; National Park Service, Technical Services, Preservation Brief #31)*

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:

Baxter property, 736 Oella Avenue, contributing structure in the Oella National Register Historic District; in-kind repair/replacement/painting of existing wood siding [County Council District #1]

Abraham property, 221 Hopkins Road, contributing structure in the Rodgers Forge National Register Historic District; installation of central air-conditioning and heat pump system [County Council District #5]

### **Other Business**

Ms. Rising reminded all LPC members that the ribbon cutting ceremony for the re-opening of the Jericho Bridge in Franklinville is scheduled for April 25, 2016.

Mr. Thaler moved to adjourn the meeting. Mr. Myer seconded the motion, with affirmative votes being cast by Ms. Allen, Ms. Benton, Mr. Boswell, Mr. Brennan, Mr. Diggs, Ms. Nevins Hawks, Ms. Horst, Mr. Kellman, Mr. Myer, Mr. Syed, Mr. Thaler and Mr. Yaffe. There were no dissenting votes cast.

The meeting adjourned at 7:00 p.m.

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