

Minutes
Baltimore County Landmarks Preservation Commission
November 13, 2014 Meeting

Call to order; introduction of Commission members; pledge of allegiance to the Flag; statement of purposes 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:

<u>Present</u>	<u>Not Present</u>
Mr. Robert P. Brennan, Chairperson	Mr. David J. Bryan
Ms. Nancy W. Horst, Vice-Chair	Ms. Faith Nevins Hawks
Ms. Carol Allen	Mr. Qutub U. K. Syed
Ms. Rose A. Benton	
Mr. C. Bruce Boswell	
Mr. Louis Diggs	
Mr. Jonathan Herbst	
Mr. Ed Hord	
Mr. Mitch Kellman	
Mr. Stephen P. Myer	
Mr. Christopher S. Norman	
Mr. David S. Thaler	

Attending County staff, 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. **Review of the Agenda**

Ms. Brown noted the only change made to the Preliminary Agenda was that two items that had been considered for discussion were moved to the Consent Agenda.

2. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the October 9, 2014 Minutes. Hearing none, he called for a motion to approve the Minutes as drafted. Mr. Myer moved to approve the Minutes. Mr. Kellman seconded the motion, which passed unanimously on a voice vote.

3. **Consent Agenda**

Ms. Brown read the Action Recommendations for Consent Agenda Items 6, 11 and 12.

Mr. Brennan called for a motion. Mr. Hord 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

4. “Allmond Confectionary Store” structure and setting, 201 Main Street, Turner Station, MIHP #BA3303 [County Council District #7]

Ms. Rising presented the history of the property and read staff’s recommendation to support the nomination.

Ms. Arkia Gowans, Secretary of the Henrietta Lacks Legacy Group spoke in support of the nomination.

Mr. Hord noted the thoroughness of Ms. Rising’s research.

Mr. Diggs moved to vote to (a) place the “Allmond Confectionery Store” on the Preliminary Landmarks List under criteria (1) – for its association with the historic African American community of Turner Station; as an example of an African American owned business which contributed to the success of Turner Station and played an important role in the business history of the area; as a site associated with the accomplishments of Mrs. Martha Allmond which represents the contributions of African American women in Baltimore County (2) - as an example from the 1920’s period of construction within Turner Station that retains historic integrity in terms of feeling, association and setting (b) to delineate part of the property .067 acres total (map 110, parcel 51) as its historic environmental setting. Ms. Horst seconded the motion which passed unanimously on a voice vote.

Alteration to properties in County Historic Districts or Landmark structures

5. “Joshua F.C. Worthington House”, Short property, 3601 Garth Manor Court, Granite vicinity, Final Landmarks List #242 (MIHP #BA00011); construction of a one story addition [County Council District #4]

Ms. Brown explained the project had originally been scheduled for the October, 2014 meeting. A Technical Committee consisting of Mr. Brennan, Ms. Nevins and Mr. Myer visited the site in preparation for that meeting. The Technical Committee at that time recommended the homeowner consider reducing the size of the proposed addition; not using artificial stone on the foundation and installing a wooden door instead of the proposed fiberglass front entrance door. Ms. Brown reported the homeowner incorporated the Technical Committee’s suggestions in the plans before the Commission for consideration this evening.

Mr. Brennan determined the homeowner was not present. He elaborated on the various changes made to the original plans, noting that he found they reflected the Technical Committee’s recommendations.

Mr. Myer moved to vote to issue a Certificate of Appropriateness for the revised plans. Ms. Benton seconded the motion which passed unanimously on a voice vote.

- **6. Hopkins property, 801 Francis Avenue, non-contributing structure in the Relay County Historic District; construction of a 16’x12’x15’ shed in the rear yard corner [County Council District #1].

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

7. Bowers/Daubert property, 1018 Windsor Road; contributing structure in both the Sudbrook Park County Historic District and Sudbrook Park National Register Historic District (MIHP #BA 3035); ex post facto approval for replacement of wood windows and vinyl windows with vinyl windows and existing cedar shake siding with cedar shake siding [County Council District #2]

Ms. Brown reported this matter was brought to the attention of staff after having received a telephone call reporting that the siding and several windows were being replaced. Because the work was being done without prior LPC approval, a code violation was issued. A Technical Committee consisting of Ms. Horst and Messrs. Brennan and Myer visited the site. The Technical Committee report recommends granting approval for the in-kind siding replacement and the vinyl windows at the side elevation, but to require that the four windows at the front elevation be replaced with wooden, one-over-one windows.

Ms. Brown noted that she informed the president of Sudbrook Park Inc., the community's historic advisory committee, about the code violation, the subsequent Technical Committee site visit and its recommendations. The group did not have time to meet and submit a formal recommendation, but the group's president expressed disapproval for allowing the vinyl windows at the side elevation to remain. Ms. Brown explained the rationale for staff's recommendation, noting that two of the replaced side windows had already been replaced with vinyl windows by a previous owner, so the issue was really only the replacement of one wood window with a vinyl window, while the front vinyl windows would need to be replaced with wooden windows. She also pointed out that the LPC had voted similarly in a case involving the unauthorized replacement of wood windows with vinyl windows in the Lutherville County Historic District. In this case the LPC voted to request the reinstallation of wood windows at the front façade only and allowed the vinyl windows at the side to remain.

The homeowners, Ms. Sandra Bowers and Mr. Joshua Daubert were present and explained they have been working hard to restore the condition of the house and property since they purchased it three years ago. They explained they are working with a limited budget and apologized for not understanding the need for prior approval from the LPC.

Mr. Diggs stated he would prefer hearing the local advisory committee's recommendation prior to making a decision.

Mr. Brennan determined several vinyl replacement windows existed on the house prior to the work recently completed by the current homeowners. Mr. Brennan also expressed his appreciation for the work the current homeowners have completed towards the restoration of the home.

Mr. Myer moved to vote to issue an ex post facto Certificate of Appropriateness for the in-kind siding replacement, vote to issue a Notice to Proceed for the three vinyl windows at the west side façade of the building and vote that the four windows at the front façade of the building should be replaced with wood, one-over-one windows within six months of this evening's meeting. Mr. Boswell seconded the motion which passed unanimously on a voice vote.

8. Monkton United Methodist Church, 1930 Monkton Rd.; Final Landmarks List # 114 (MIHP # BA 606); in-kind replacement of asphalt shingles roof and reconstruction of the steeple destroyed by fire [County Council District #3]

Ms. Brown reported the roof and steeple were completely destroyed as a result of a lightning strike.

Ms. Ruth Mascari and Ms. Wendy McIver were both present as representatives of the church. They explained the extensive damages to both the exterior and interior as a result of the lightning strike. Ms. Mascari expressed gratitude for the quick response of the emergency fire personnel and to Ms. Brown who she

noted visited the site while the structure was still smoldering. Ms. McIver indicated the church bell was in good working order and would be installed again.

Mr. Thaler suggested the restoration project include a properly grounded lightning rod.

Ms. Allen moved to vote to issue a Certificate of Appropriateness for the in-kind replacement of the asphalt shingle roof and reconstruction of the steeple. Mr. Diggs seconded the motion which passed unanimously on a voice vote.

Applications for Tax Credit

9. May-Sachs property, 411 Dunkirk Road, contributing structure in the Rodgers Forge National Register Historic District; installation of a subsoil interior drain system in the basement and repairs to areas affected by installation [County Council District #5]

Mr. Brennan read from the homeowner's application the list of work already completed in an effort to address the conditions that may contribute to the basement water problems.

Mr. Thaler noted the presence of moss in some of the pictures submitted with the application and questioned how the drains were sealed together.

Both Mr. Boswell and Mr. Hord felt it was not possible to adequately determine the existing conditions based solely upon the pictures submitted.

Mr. Thaler moved to vote to table the discussion until the subject of tax credit eligibility for basement waterproofing, which is scheduled to be discussed later on the agenda, is addressed. Mr. Myer seconded the motion. Mr. Hord suggested Mr. Thaler change the motion to tabling the discussion until the homeowners can prove that basement waterproofing is the only course of action left. Mr. Thaler did not accept the suggested amendment. The motion passed unanimously on a voice vote.

After the waterproofing discussion was held and a policy for evaluating tax credit applications for basement waterproofing and water ejection systems was adopted, Mr. Thaler proposed taking Item No. 9 off the table and proceeding with a vote.

Mr. Thaler moved to vote to not issue a Certificate of Appropriateness or Notice to Proceed for the tax credit application as presented and to advise the homeowners to consider submitting a new application which includes a report from either a licensed engineer, architect or landscape architect stating that surface water management measures cannot correct the water penetration issue and that a basement waterproofing or ejection system is needed. Said report should also verify that the items listed on the newly adopted checklist (see for

discussion under Other Business) have been performed. Mr. Boswell seconded the motion which passed unanimously on a voice vote.

10. Koller property, 7110 Bristol Road, contributing structure in the Stoneleigh National Register Historic District; replacement of existing furnace, in-kind replacement of existing front porch railings and trim, replacement of existing solid panel wooden shutter with wooden board/batten shutters, repair existing electrical system/outlets/lights in garage, strip/refinish existing bathtub, in-kind replacement of existing damaged bathroom floor/wall tiles, patch/repair bathroom plaster wall, cap/re-point/clean/paint brick chimney, update electrical outlets/switches, remove existing damaged basement landing tile and replace with porcelain tile, remove existing rear entrance/kitchen flooring and replace with porcelain tile, replacement of existing ill-fitted vent covers, replacement of existing master bedroom and office baseboard to match original style, drywall repairs in guest bedroom/basement doorway/master bedroom ceiling, installation of hardwired lights in guest bedroom and furnace room, extend fireplace threshold [County Council District #5]

Ms. Brown noted staff initially had questions concerning several of the projects and visited the site together with Mr. Myer. The site visit revealed that the previous work had been performed poorly and that the proposed projects were justified. Staff, however, advised the property owners that the style of shutters wished for were not appropriate and that work involving the addition of a three season room would not be eligible for the tax credit.

Ms. Beth Popp, one of the owners of the house was present. She withdrew the request for exterior painting, which had already been completed and noted a change in the style of shutters originally proposed.

Mr. Boswell questioned the proposal to extend the fireplace hearth explaining a big hearth would be a modern interpretation and not true to the period of the home. He also mentioned the extension could result in joists needing to be cut. Ms. Popp explained a home inspector had suggested the hearth extension. Mr. Brennan suggested the use of a fireplace rug.

Mr. Myer moved to vote to issue a Certificate of Appropriateness for the various proposals with the exception of the chimney painting, kitchen cabinet replacement, three season room addition and extension of the fireplace hearth. Ms. Allen seconded the motion which passed unanimously on a voice vote.

- **11. Wales property, 7036 Heathfield Road, contributing structure in the Rodgers Forge National Register Historic District; in-kind repair of existing slate roof and installation of copper valley and snow guards [County Council District #5]

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

- **12. Klein/Green property, 43 Murdock Road, contributing structure in the Rodgers Forge National Register Historic District; toilet and plumbing repairs in two existing bathrooms [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:

Althaus property, 212 W. Seminary Avenue, contributing structure in both the Lutherville County Historic District and Lutherville National Register Historic District; in-kind repair/replacement of existing roof and gutters [County Council District #3]

Chakmakas property, 7003 York Road, contributing structure in the Stoneleigh National Register Historic District; installation of high efficiency boiler/indirect water heater and in-kind repairs of existing slate roof [County Council District #5]

Morton property, 305 Dunkirk Road, contributing structure in the Rodgers Forge National Register Historic District; boiler replacement [County Council District #5]

Wissel property, 1201 Western Run Road, Cockeysville vicinity, contributing structure in the Western Run-Belfast National Register Historic District, MIHP #BA-915; replacement of an HVAC system with a geothermal system, re-point exterior stonework, repair/replace in-kind existing covered porch, repair/replace mold damaged drywall on first floor of accessory structure, and repair/replace in-kind exterior portico [County Council District #3]

Other Business

Consideration of a policy regarding tax credit applications for basement waterproofing and water ejection systems.

Ms. Brown noted that Preservation Services regularly receives tax credit applications for basement waterproofing and water ejection systems. Several Commission members had pointed out in the past that allowing water to penetrate basement walls and then pump it out again is rarely an appropriate way to deal with wet basements because it undermines the foundation and that the problem is frequently caused by surface drainage issues. Assessing the problem correctly requires site visits, which places an undue burden on the same Commission members qualified to assess the problem. Mr. Thaler and Mr. Boswell agreed to draft procedures (see attached) that would place the burden of proof on the homeowners.

Mr. Thaler summarized the draft policy as presented. Namely, the owner would need to complete a checklist showing that all surface drainage issues have been adequately addressed and provide verification from a licensed engineer, architect or landscape architect, that a basement waterproofing and water ejection system is the only way to correct the water penetration issue.

Mr. Boswell described some of the routine problems and conditions homeowners encounter and some of the more commonly proposed methods of addressing the issues. Mr. Hord proposed adding an architect to the list of professionals mentioned in the policy who could verify that a basement waterproofing system is needed. Mr. Boswell moved to vote for the adoption of the policy as presented with the addition of an architect being able to substantiate the need for a basement waterproofing or ejection system. Mr. Thaler seconded the motion which passed unanimously on a voice vote.

At this point, Mr. Thaler proposed taking Item No. 9 off the table and proceeding with a vote (see above).

Ms. Brown shared the scheduled date and time for the Boards and Commissions Holiday Party and asked all LPC members to reply to the invitation in a timely fashion.

Mr. Myer moved to adjourn the meeting. Mr. Kellman seconded the motion, which was approved unanimously on a voice vote. The meeting adjourned at 7:05 p.m.

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