Minutes
Baltimore County Landmarks Preservation Commission
April 11, 2019 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

Ms. Carol Allen
Mr. C. Bruce Boswell
Mr. Robert P. Brennan, Chair
Mr. Louis Diggs
Ms. Nancy W. Horst, Vice-Chair
Ms. Wendy McIver
Mr. Stephen P. Myer
Ms. Cathryn Pinheiro
Mr. Raymond Scott
Mr. Qutub U. K. Syed
Mr. David S. Thaler

Not Present

Mr. Ed Hord
Mr. Mitch Kellman
Ms. Faith Nevins Hawks

Attending County staff, Teri Rising (Preservation Services staff), Kaylee Justice (Planning staff), and Jenifer Nugent (Chief of Development Review and Strategic Planning).

1. **Review of the Agenda**

Ms. Rising reported there were two changes to the Preliminary Agenda published April 4th, 2019.

2. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the March 14, 2019 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. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, Mr. Scott, Mr. Syed and Mr. Thaler. There were no dissenting votes.
3. **Consent Agenda**

Ms. Rising read the Action Recommendations for Consent Agenda Items 6 and 8.

Mr. Brennan called for a motion. Mr. Thaler 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. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, Mr. Scott, Mr. Syed and Mr. Thaler. There were no dissenting votes.

**Items for Discussion and Vote**

4. “Monkton Hotel”, 1900 Monkton Road, Monkton; Final Landmark # 35; Contributing structure in the Monkton County Historic District; MIHP # BA-0116; Remove A/C units/restore exterior door transoms; replace non-historic wood steps with metal railing to match existing [County Council District # 3]

Ms. Rising introduced the project and explained that the new owner of the property is planning to rehabilitate and historically restore the former hotel which will likely take several years. She indicated that this is the first of many work items that would be brought to the Commission and shared that Planning staff, along with Commission member Wendy McIver, had visited the site on December 14, 2018 to meet the new owner and to provide technical assistance as he begins project planning. Ms. Rising introduced the item which involved two separate work items. The first item was the removal of several A/C units that had been mounted into spaces formerly occupied by transoms. She added that he planned to have new wood transoms custom built and installed in their place. The second item involved the removal of non-historic wood steps that were rotten and the installation of metal railing to match the existing. Ms. Rising explained that the owner eventually planned to reconstruct the original full width porch and proposed the step alteration as an interim solution until such time the porch project is undertaken. Ms. Rising described how the Baltimore County’s Historic Design Guidelines recognized doors and transoms as character defining elements of a structure and recommended that the replacement for any missing items should match the original in design, pattern and materials. She noted the proposed replacements as being consistent with what had been previously removed. Ms. Rising described the condition of the existing steps and plans for their removal. She added that the porch and step configuration is not original, nor historic in its own right, consequently choosing metal for railing and steps was an understated design that would be compatible, especially since it will appear on a highly visible façade.

Mr. Brennan recognized Mr. Angelo Otterbein, owner of the property, and invited him to speak on behalf of the project. Mr. Otterbein explained that he took ownership of the property in August and has been spending time getting to know the building and exploring what needed to be done in order to restore it. He characterized the project as a minor enhancement and added that he initiated this work first to get a sense of the process and Commission. Mr. Otterbein noted that the window A/C units he proposed to remove were not very attractive and no longer necessary since he installed units on the inside. Mr. Otterbein asked to correct
the description of the project as described by staff and explained he was not proposing to replace the steps but expected to have continuous railing along the side. Ms. Rising confirmed the correction of the item.

Ms. McIver moved to issue a Certificate of Appropriateness and added that Mr. Otterbein had been wonderful to work with and she appreciated how he initially reached out to discuss plans for the property before he did anything. Mr. Thaler seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, Mr. Scott, Mr. Syed and Mr. Thaler. There were no dissenting votes.

(Citing Baltimore County Historic Design Guidelines: Windows & Doors, p. 8; Porches & Steps, p. 4) County Code, Sec 32-7-403

5. “Rockland”, 10214 Falls Road, Brooklandville; Final Landmark # 277; MIHP # BA-0219; Two story garage/guest suite addition [County Council District # 2]

Ms. Rising introduced the project which involved the construction of a two story garage/guest suite addition to join the western block of the main house known as Rockland. She characterized the home as a three story, stucco clad, single family dwelling that had been originally constructed in the early 19th century that later expanded to feature several blocks constructed during different eras and added it was also listed on the National Register of Historic Places. Ms. Rising explained that plans for a larger garage had been approved by the LPC in 2005, but never constructed, and now the owners were proposing a smaller version to be constructed in the same location. She described the proposed addition, which included a two bay garage with a pass through walkway on the first floor. The second story would be a guest suite with a master bedroom and bath and an exterior porch would connect the house’s existing second story to the existing pool walkway on the north elevation. Ms. Rising provided information about the Technical Committee that met with the property owner’s representative on April 1st, 2019 which consisted of herself, Ms. Allen, Mr. Boswell, Ms. Horst and Mr. Myer. The resulting report was circulated to the Commission. She explained that the National Park Service suggested asking three important questions when considering exterior additions to historic buildings: Does the proposed addition preserve significant historic material and features? Does the addition preserve the historic character? Does the addition protect the historical significance by making a visual distinction between the old and the new? The conclusion is if the answer is yes to all three questions, the new addition addresses those concerns generally considered to be fundamental when considering these types of projects. Ms. Rising suggested that the addition as proposed addresses all possible concerns.

Mr. Brennan recognized Mr. Matthew Slater and confirmed that he was a builder representing Clinton and Diana Daly, the owners of the house. Mr. Brennan noted the Technical Committee’s visit to the site and asked if Mr. Myer wished to summarize the report he wrote on their behalf. Mr. Myer confirmed the description of the project by staff and explained that the house was situated on a high knoll that looked down on the village of Rockland. He
described some of the building’s architectural elements including the Doric columns and distinctive arches featured on the four existing porches that would be carried through the proposed addition. Mr. Myer remarked that the addition proportionally was smaller than the main house based on the difference in square footage and noted its location on the western elevation which would be completely hidden by the front of the house. He added that the details would match those already existing on the later additions to the home and confirmed the addition met the standards.

Ms. Allen expressed her appreciation for the site visit and how beneficial it was to walk around the house and property. She added that she thought the addition was appropriate.

Mr. Thaler suggested that a member of the Technical Committee should make the motion. Ms. Allen moved to issue a Certificate of Appropriateness. Mr. Syed seconded the motion, which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, Mr. Scott, Mr. Syed and Mr. Thaler. There were no dissenting votes.

(Citing Baltimore County Historic Design Guidelines: Additions & Infill, pp. 2-4; National Park Service, Technical Preservation Services, Preservation Brief # 14: New Exterior Additions to Historic Buildings: Preservation Concerns) County Code, Sec 32-7-403

Following the vote, Mr. Slater inquired about the next steps of the process. Ms. Rising confirmed that the building permit on file would receive a final approval by staff.

**6. “Tor House”, 16207 Corbett Village Lane, Contributing Structure in the Corbett County Historic District, MIHP # BA-2253; Fence installation in rear yard [County Council District # 3]

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

(Citing Baltimore County Historic Design Guidelines: Fences & Landscape, p. 4) County Code, 32-7-403

7. Montanye property, 4609 Prospect Avenue, Glyndon; Non-contributing structure in the Glyndon County Historic District; Ex-post facto approval of driveway expansion; Proposed pet fence/trellis fence installation in rear and side yard; window/shed repair; terrace/landscaping expansion; deck/balcony construction (Baltimore County Code Enforcement Correction Notice # CB1800730) [County Council District # 3]

Ms. Rising introduced the item and explained it had two separate parts, the first being Baltimore County Code Correction Notice # CB1800730, which involved the expansion of an existing driveway without prior approval. She added that the second item had multiple components, which were all new, and included basic repairs to the house and shed, the construction of a new deck/balcony, the addition of a single louvered cupola to the roof, the installation of pet fencing and a trellis along with other various hardscape improvements to the property. Ms. Rising stated that a Technical Committee consisting of herself, Wendy McIver, and Steve Myer visited the site on April 9th, 2019 to discuss the projects and the driveway with
the owner. She explained that Prospect Avenue was located on the edge of the Glyndon County Historic District and a dead end street and concluded that the home and landscape improvements the owner wished to make were not highly visible or inconsistent with the overall streetscape pattern. She added that the proposed deck, terrace improvements and shed are behind the house and would not be seen since the house sat back from the road. Ms. Rising noted that the landscape items were essentially temporary and since the addition of the cupola was small it would not have any adverse effect on the streetscape. The property owner’s reasoning behind the driveway expansion was next explained by Ms. Rising along with the choice of location and materials. She indicated that the materials provided with the application discussed the limited street parking and how the widening took place in an area previously disturbed and used for parking that had since grown over. Ms. Rising displayed a file photo taken in 2010 of the driveway that depicted unfinished edges and a loose material and a Google street view from 2012 that showed the end of the driveway exit at street side abutting the second driveway of the property next door, which then became separated by a strip of grass. She explained that few properties in Glyndon were constructed when there was a need for driveways but over time additions of driveways were common with a typical pattern that can serve as guidance in cases where driveway improvements are proposed. Ms. Rising added that no particular driveway material was used in Glyndon, but was a mix of gravel, asphalt, brick and paver. Consequently, the current driveway material was not out of character. She pointed out several examples of joint driveways provided by the owner that were scattered throughout this Historic District and concluded the driveway modification as it existed did not elevate the dominance of the feature nor impact the front yard. Ms. Rising suggested that the issue of whether the expanded driveway encroaches on the neighbor’s property to join the other or vice versa is not under the purview of the Commission and encouraged both neighbors to seek a certified professional land surveyor to identify the official location of the lot lines. With the assumption that one property owner or the other, or both, will need to modify the footprint of their existing driveway to meet lot line boundaries, Ms. Rising recommended they seek Commission approval at such time and added that the small grassy area be restored as it previously existed if possible.

Mr. Brennan noted the presence of the property owner, Mr. Tom Montanye, and invited him to speak first as a courtesy. Mr. Montanye pointed out that the month previous, when the item involved the neighboring property, the Chair had allowed the owner to speak after others had testified.

Mr. Brennan recognized Ms. Donna Bair, resident of 4607 Prospect Avenue, who introduced herself and her husband Denny, as the neighbors of the subject property. Ms. Bair explained that she was concerned about the driveway expansion and how it fit the Historic District’s character based on the guidelines and offered older photographs showing the driveways before expansion. Ms. Rising confirmed that the Commission had photos of the driveways from 2010 and 2012 in their binders and described the views that were presented and differences from the current footprints.

Mr. Boswell asked Ms. Rising about the recommendation for a survey in her opening statement and questioned if the issue of which owner was putting gravel or asphalt on whose property
was something the Commission could determine that evening. Ms. Rising expressed agreement with Mr. Boswell’s question and suggested they could consider tabling the matter and correction notice pending the resolution of the lot line issue. She added that after hearing from both sides of the issue should the Commission feel a certified survey be the next course of action, depending on the outcome, it would likely be an issue for the owners to work out together.

Mr. Boswell observed that after reviewing the materials submitted by the property owner, it seemed that he was correct about not encroaching, but added that the Commission could not possibly know who was at fault based on the plat. Ms. Rising explained that since the driveway was tied to an active complaint, the Commission would need to inform Code Enforcement of their decision to table the issue due to a lack of information which could then be monitored until a survey can be done and the lot lines were resolved.

Ms. Bair stated that both she and the property owner had property surveys done but the results were a little different. She added that it was her understanding that sometimes a third survey was necessary to resolve the differences, but indicated she did not believe either side was willing to pay for a new one.

Mr. Boswell asked for Mr. Thaler’s opinion on how survey differences could be resolved based on his professional experience. Mr. Thaler commented that he believed two surveyors should be able to come to reasonably the same conclusion due to the size of the lot.

Mr. Thaler asked for clarification from staff about the nature of the Code Enforcement violation. Ms. Rising replied that the complaint had been constituent driven, and involved the property owner in front of the Commission having widened his driveway without prior approval from the Commission, and incidentally, had widened it so that it encroached on the neighboring property. Mr. Thaler expressed his agreement with Mr. Boswell’s previous comment that the encroachment issue was not under their purview.

Mr. and Ms. Bair commented that they were concerned about the driveway’s character. Ms. Bair added that she had lived in the house for five years this summer in comparison to the neighbor who had lived there for 28 years, but that the driveway had been in the same place that entire time. She added it was not until she erected a fence to protect her pool in the back yard that the neighbor moved the driveway over. Ms. Bair expressed concerns about the loss of the grass separation between the two driveways, and how the resulting water runoff and loose gravel impact her property. She also noted how the width of the driveways combined, hers being 10 feet in comparison to his 20 feet as now widened, made it look like a parking lot. Ms. Bair expressed concerns about the difficulties in opening car doors because of the new driveway configuration but added she understood that the lot line issue was not under the purview of the Commission. She clarified that her concern about the driveway involved the character within the Historic District.

Mr. Thaler commented that having been in the engineering and surveying business in Baltimore County for over 42 years, they have been involved with neighbor disputes many times.
noted for LPC purposes, it seemed as if there were 4 elements of the dispute which included the question over the proper location of the property line and driveway and allegations that the drainage characteristics had been changed. Mr. Thaler explained that Maryland followed the natural flow rule which meant you were not allowed to change the flow to the detriment of the downstream property owner, but added that the resulting trespass was also not before the Commission. He understood the third element to be that the driveway was not in the character of the neighborhood and commented that except for the historic elements that matter was also not before the Commission. Mr. Thaler stated that he believed the issue before the Commission should be limited to whether the driveway was done properly, and with proper approval, and if they could give ex-post facto approval to what was done.

Ms. Bair asked if she could show another picture to demonstrate how massive the driveway was. Mr. Boswell stated that he supported Mr. Thaler’s comments and thought it was clear when it came to the driveway it needs to not be approved by the Commission at this time until there was some resolution of the property line and other issues Mr. Thaler previously summarized.

Ms. Bair questioned if the driveway was on the property line, whether or not the Commission felt it was in the historic character of the community. Mr. Thaler replied that the character of the community was not the test to be used, but whether or not it meets the appropriate historic standards that are used to give a Certificate of Appropriateness.

Mr. Thaler asked Ms. Rising if the driveway met the appropriate historic criteria. She indicated her staff recommendation was crafted with the possibility that one, or both, of the driveways were not properly sited and consequently the original driveway configuration, the way the driveways met at the street, with the small grass strip in between, seemed to be the best way to have it restored. Ms. Rising clarified that even if the grass area was not restored, dual driveways were not necessarily out of character for Glyndon as there were several examples in the applicant’s materials. She went on to say if this was on a highly visible road, a different conclusion might be made as the location of the proposed item is an important consideration as stated in the Historic Design Guidelines, but added with the current location and materials, it met the guidelines. Mr. Bair questioned whether or not dual driveways were visible on Prospect Avenue. In response, Ms. Rising indicated she was not familiar with one on Prospect but added they were looking at whether or not it impacts the district as a whole and how visible it is. She further commented on the temporary nature of driveways and the fact that no archeological features would be impacted.

Mr. Brennan asked if Mr. and Ms. Bair had any comments about the other part of the proposal. They indicated they were fine with what was being proposed assuming the Commission approved.

Mr. Brennan recognized Kim and Tim Montanye, owners of the property at 4609 Prospect Avenue. Mr. Montanye explained that the driveway in question was their one and only driveway and the issue of opening car doors directly against the neighbor’s driveway did not
take into account the fact that the neighboring property had two driveways, the primary being on the other side of the property which leads to the garage. He added that this was essentially auxiliary parking. Mr. Montanye clarified that there had been three surveys done on the property already, one as recently as a few days prior which was reconfirmed by a second company, and did not know what else they could do at this point to resolve the issue. Ms. Pinheiro responded to Mr. Montanye that she did not think the discrepancies between the surveys could be resolved that evening and added staff confirmed the driveway met the scope.

Mr. Montanye commented on the issue that had been raised involving driveway runoff and stated it to be a pervious surface that has always been stone. He added that the space was filled in due to their family’s parking needs.

Mr. Thaler advised the property owners to try and work things out themselves as it wasn’t something the Commission could do for them.

Mr. Montanye asked for clarification as to whether or not the Commission would be voting on the driveway. Mr. Brennan replied that they would vote on the matter based on the staff recommendation.

Based on the resolution of a similar issue in her neighborhood, Ms. Horst suggested adding a small post and rail fence in the middle of the driveway that clearly delineated the two.

Mr. Diggs asked for clarification as to the close proximities of the driveways. Mr. Montanye explained the driveway had been expanded so they could open doors and not step on wet grass.

Mr. Boswell questioned the scale and height of the proposed cupola and asked for clarification. Ms. Rising confirmed that he chose the smallest of the three options. Mr. Montanye added that it would be cut to fit below the roof line. Mr. Boswell remarked that it was an unusual item to put on a residential property and found it to be out of character with a house. Ms. Montanye commented that there were several examples of cupolas on their street. Ms. Rising stated there were other examples in Glyndon, and due to the fact the property wasn’t historic and not very visible, based on historic guidelines, it did not seem unreasonable. Mr. Boswell commented that he did not feel strongly about it and wanted to open the issue in case anyone else wished to discuss it.

Ms. McIver shared that she had been part of the Technical Committee that had visited the site and confirmed Mr. Montanye’s wish to have the copper on the cupola match the copper he proposed installing on his bay roof.

Mr. Thaler moved to issue an ex-post facto Certificate of Appropriateness for the driveway expansion and to issue a Certificate of Appropriateness for the pet fence/trellis; fence installation in rear and side yard; window/shed repair; terrace/landscaping expansion; deck/balcony construction. Mr. Syed seconded the motion which passed with affirmative votes.
being cast by Ms. Allen, Mr. Brennan, Mr. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, Mr. Scott, Mr. Syed and Mr. Thaler. There were no dissenting votes.

(Citing Interpreting the Standards # 39: Site and Setting: Changes to a Historic Site; Baltimore County Historic Design Guidelines: Fences & Landscape, p. 3 & p. 5; Additions & Infill, p. 4) County Code, Sec 32-7-405; 32-7-403

**8. Pollok property, 1530 S. Rolling Road, Relay; Non-contributing structure in the Relay County Historic District; Garden fence installation [County Council District # 1]

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

(Citing Baltimore County Historic Design Guidelines: Fences & Landscape, p. 4) County Code, 32-7-403

Mr. Syed left the meeting at 6:56 p.m.

9. “Beckley House”, 202 Main Street, Reisterstown; Final Landmark # 17, MIHP # BA-0164; Part II approval for exterior rehabilitation involving roof/flushing/masonry items; repair/replace windows [County Council District # 2]

Ms. Rising introduced the project which involves the beginning of a several year project to rehabilitate and historically restore the building to use as a combination of office/retail space. The new owners are requesting County historic tax credits and also expect to work with the Maryland Historical Trust to identify other funding sources through credits and grants if possible. Ms. Rising explained the scope of the proposed work which involved rehabilitation to the exterior and the restoration/replacement of windows, some of which are not historic. She described the visit that took place with the owners on November 28, 2018 to assess the interior and exterior of the building in order to advise them on future Landmark Preservation Commission review and to assist on the coordination of future review involving the State. Part I and Part II tax credit applications were submitted for preliminary review, along with photos and a scope of work. Ms. Rising noted several items without specifications and clarified that an amended Part II would eventually be required with the specifications and related details for consideration and determination for tax credit eligibility. She added that work involving the removal of the oil tank is not eligible for historic tax credits and not subject to approval by the Commission.

Mr. Brennan recused himself from the discussion and vote for this project. Ms. Horst assumed the duties of the chairperson for this agenda item.

Ms. Horst recognized Ms. Carri Beer, architect for the project, and Mr. Brendan Schreiber, President of Schreiber Brothers Development, owners of the property. Mr. Schreiber added that he also served on the board of the Reisterstown Improvement Association and Northwest Chamber of Commerce.

Ms. Horst asked if any Commission members had questions about the project. Ms. Rising shared that this was going to be a complex project and that the meeting in November was with
the intention of helping the new owners plan and coordinate the reviews so they could be able to take advantage of all the incentives available from the County and the State. She added that because it was a landmark, and the fact they intended to apply for grant money from the State, it was important to make sure work that needed to be reviewed was handled appropriately.

Mr. Boswell moved to issue a Certificate of Appropriateness for Work items # 1, # 2, # 3, Work item # 4 – For the repair and refurbishment of existing windows, Work item # 5 – For the repair and refurbishment of existing doors and Work item # 9 - For the repair and refurbishment of existing shutters. Mr. Thaler seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Boswell, Mr. Diggs, Ms. Horst, Ms. Mclver, Mr. Myer, Ms. Pinheiro, Mr. Scott and Mr. Thaler. There were no dissenting votes.

(Citing Baltimore County Historic Design Guidelines: Façade Materials, pp. 8-10; Windows & Doors, p. 2, p. 6, p. 7; Roofs, pp. 8-12) County Code, Sec 32-7-403; Sec 11-2-201

10. “Plinlimmon Farm”, 9401 Lyons Mill Road, Owings Mills vicinity; Final Landmarks List # 70, MIHP # BA-2184; revisions to Ballard Green PUD – Recommendation to Planning Board [County Council District #4]

Ms. Rising explained this item involved a material amendment to a previously approved Planned Unit Development (PUD) plan that was referred to the LPC and reviewed on September 1, 2010. At that time, the Commission voted to support the plan and offered recommendations for buffering, siting and materials for the proposed structures. The Commission reviewed a refinement to the amended plan on January 12, 2017 and recommended approval with suggested revisions to the layout, height, and siting of units on the west side of the house. Ms. Rising described the current plan revisions that included changing what was live/work/retail townhouse and condo units to residential townhouses only and an increase from 521 dwelling units to 569 dwelling units in lieu of the maximum density permitted of 431 dwelling units. Because those changes affected the amount of density units in the project and design, the Development Review Committee determined the changes were “material” bringing the proposal back through the LPC’s review process.

Ms. Rising summarized the plan comments from past LPC and Planning Board reviews in 2010 and 2017 and described the differences between the original plan and modified plan in terms of the architectural quality, materials and detailing of the buildings closest to the historic house.

Mr. Brennan asked Mr. Thaler if he had any continued involvement with this project. Mr. Thaler acknowledged his representation of a prior owner and added he remembered meeting with several members of the Commission including Mr. Diggs and Ms. Horst. Mr. Brennan confirmed he had also been part of the meeting. Mr. Thaler stated there was no association with the current owner for the past eight years or so and did not believe he had a conflict. Mr. Thaler thanked Mr. Brennan for reminding him for the record.
Mr. Brennan recognized Mr. Christopher Mudd, of Venable, LLC, representing the applicant Beazer Homes. Mr. Mudd introduced Mr. Steve Smith from Gaylord Brooks and explained he had been with the project from 2010 and before. Mr. Mudd also introduced Mr. Sean Davis, representing Morris and Richie, the engineers of record for the project.

Mr. Mudd outlined the LPC’s role in the development review process. He stated there would be no changes to the landmark itself and no historic environmental setting had ever been delineated. Mr. Mudd explained how the County Code provisions actually require referral and review by the Planning Board and as a matter of courtesy and guidance the Planning Board asks the LPC to review them. He added that the Commission would be making a recommendation to the Planning Board who ultimately has the final authority under the Code to then get involved and make a recommendation to the Administrative Law Judge. Mr. Mudd summarized the development history of the project and pointed out the changes the plan had undergone since 2010. He confirmed the prior recommendations of support for the various plans by the Commission and Planning Board and explained it had been given final approval which explained how some phases of the project were already completed. Mr. Mudd described the refinement of unit types that led to the plan modification in 2016 and outlined the recommendations of support offered by both the LPC and Planning Board in 2017 but added that the plan version never proceeded to the Administrative Law Judge.

Mr. Brennan asked for clarification on which sections of the development had already been completed. Mr. Davis responded that the parcel under review was the last to be developed and was the last neighborhood within the community.

Mr. Boswell asked Mr. Mudd to confirm that at each of the points the plan came before the LPC they had made recommendations which went to the Planning Board and in some cases they were incorporated and in other cases not. Mr. Mudd agreed.

Mr. Davis introduced himself as a principal with Morris Richie Associates and added he was a planner and landscape architect who had been working on Ballard Green for almost 10 years. He explained that this neighborhood within the community had probably been the most difficult hence the third application for the LPC’s review. Mr. Davis explained that market changes led to the plan modification from what was originally 46 live/work units on the northern portion of the site and three condominium buildings totaling 98 units on the southern portion of the parcel, to a second application with 68 back to back townhouse units that were 4 stories tall and 81 condominiums in three separate buildings totaling 149 units. The condominium buildings were to be located around the Plinlimmon house and the back to back units were located along Plinlimmon Road and Lyons Mill Road. Beazer Homes had since been developing the remainder of the townhouses and determined the market had shifted again which led them to be uncomfortable with the selection of the back to back units and the age targeted condominium units.

Mr. Davis described the aspects of the third plan that included 188 two over two condominium units in Parcel A and changes to the layout from 2010. He noted the space around the
Plinlimmon House that was preserved and the quality of architecture of those units facing the house and presented comparisons using all three of the applications. Mr. Davis explained that the architectural facades they were proposing had been submitted, and they thought a conclusion had been reached that met the satisfaction of the Planning Department because they had gone through a number of iterations. He added that significant modifications to the architecture had been made by Beazer Homes, which was out of character from their standard models, and described the elevated architectural details which focused on creating a strong façade along the Plinlimmon house side. Mr. Davis stated that in working with Planning and Beazer Homes’ architect over a series of months they were able improve the architecture and get the architect to align the windows vertically, as opposed to what was a sprinkled pattern across that side façade, and agreed it was a superior design from what previously had been submitted. He described the materials as brick, vinyl and standing metal seam and has been the same materials proposed for all three submissions including the live/work units and condominiums.

Mr. Scott asked Mr. Davis to clarify the location of resident parking on the plan.

Mr. Davis presented visual comparisons from the three different applications and described the changes over time. He highlighted the axial relationship between the homes and the Plinlimmon house that had been maintained throughout. Mr. Davis remarked that two buildings had been removed from the two closest sticks at the recommendation of the Planning Department, reducing their unit number from 192 to 188, which resulted in an expansion of space between the units and the front of the Plinlimmon House.

Mr. Thaler noted his intent to recuse himself on this issue.

Mr. Boswell commented that he had been on the LPC long enough to have seen all of the different proposals and noted that the space between the Plinlimmon house and the front of the townhouses was certainly a recommendation that had come out of this Commission at the last presentation. He added that the compromise was then to bring down the scale of those first houses in the block in front of Plinlimmon house but remarked the better solution had been presented in the plan by pushing the units back, or eliminating them, and then putting architectural detail on those ends facing the house. Mr. Boswell observed that the units on the north end appeared to have encroached more and asked Mr. Davis to compare the section from the latest proposal with the one they had before so they could see the relationship of those buildings to the north side of Plinlimmon house. Mr. Davis confirmed his observation that the proposal on the north side was closer than the second proposal but indicated the mass of the condominium building in terms of its physical bulk was substantially larger than what they were proposing now.

Ms. Pinheiro asked about the location of parking for the multi-family units in the second proposal. Mr. Davis provided details about the garage configurations for the units and parking options for visitors.
Mr. Scott asked if there would be street parking along the curved street, Mr. Davis responded that there would be no curb parking.

Mr. Brennan asked Mr. Davis to describe the landscape features around the house. Mr. Davis shared that much of the plant material around the house had been damaged over time and what was there now would be removed and replaced. Mr. Brennan commented that at one point the space around the Plinlimmon house had been well activated with walkways and walls, possibly due to its use as a venue. Mr. Davis explained that the area had undergone several changes since the use of the house was not known and noted the changes in parking and access around the house in the different proposals. He explained the height of the buildings as they related to the retaining wall and added the future use of the house would be non-residential.

Mr. Brennan requested clarification on the materials to be used on the buildings. Mr. Davis replied they would be using brick, vinyl, and in most instances, asphalt shingled porches but the buildings closest to the house would use brick, vinyl and standing metal seam porches and window sheds. Ms. Pinheiro asked if that had ever changed, Mr. Davis responded they had never had standing metal seam before. Ms. Rising pointed out in 2010 standing metal seam had been mentioned as part of the proposal.

Mr. Brennan asked Ms. Rising to share the details of the materials that had been discussed in 2010. She referenced the comments from Planning staff that had recommended against the use of vinyl and added that notes in the file indicated the LPC had adopted the recommendations of staff and the Technical Committee including clapboard in high visibility sides and standing metal seam. Ms. Rising added there appeared to be a difference between what the LPC recommended and what was adopted by the Planning Board in 2010. Mr. Davis agreed and added they did not dispute that the LPC had recommended them. Mr. Mudd commented that the brick and vinyl was consistent with what the Planning Board had approved and approved by the ALJ.

Mr. Diggs moved to vote to offer support for the Ballard Green PUD with the recommendations from staff. Ms. Rising explained the staff recommendation was written in support of the Ballard Green PUD but included a placeholder for LPC comments since past recommendations had included them. Mr. Brennan asked if the recommendation was to support the plan using the comments they had made previously. Mr. Boswell stated he had not heard that and asked Mr. Diggs to clarify his motion. Ms. Rising added she had left the recommendation open ended in case there were comments, but if there were none, the motion could be amended. Mr. Brennan recommended that someone second the motion to allow for further discussion. Ms. Allen seconded the motion.

Mr. Boswell commented that giving support for the plan was appropriate without any formal commentary because they had addressed some of the issues raised before, even if it was not exactly what they wanted. Mr. Boswell asked Mr. Diggs if he would accept an amendment to his motion to offer support for the Ballard Green PUD and advise the Planning Board that the plan is appropriate for the preservation of the landmarked structure. Mr. Diggs agreed to
accept the amendment. Mr. Myer seconded the motion as amended which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, and Mr. Scott. There were no dissenting votes. Mr. Thaler recused himself from voting on this item.

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

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:

Srygley Property, 6309 Mossway, Bellona-Gittings; ER Repair approval for in-kind slate roof, gutter and downspout replacement. [County Council District # 5]

“Melinda”, Dunn Property, 3611 Worthington Avenue, Worthington Valley; MHT approval of exterior and window rehabilitation/repair and painting. [County Council District # 2]

Anson Property, 711 Chumleigh Road, Stoneleigh; MHT approval of in-kind repair/replacement of flashing, exterior rehabilitation/repair, water damage repair and 2nd floor HVAC replacement [County Council District # 5]

Other Business

Mr. Brennan recognized the recent passing of Commission member Rose Benton and requested ideas for ways to honor her memory.

Mr. Thaler moved to adjourn the meeting. Ms. Horst seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Brennan, Mr. Boswell, Mr. Diggs, Ms. Horst, Ms. McIver, Mr. Myer, Ms. Pinheiro, Mr. Scott and Mr. Thaler. There were no dissenting votes.

The meeting adjourned at 7:53 p.m.

TDR:tdr