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
Mr. Robert P. Brennan, Chair
Mr. John Holman
Mr. Ed Hord
Mr. Vincent Johnson
Mr. Mitch Kellman, Vice-Chair
Ms. Wendy McIver
Mr. Stephen P. Myer
Ms. Marina Novaes
Mr. Jon Schmidt
Mr. Raymond Scott
Mr. David Thaler
Mr. Christopher Weston

Not Present
Ms. Cathryn Pinheiro
Ms. Faith Nevins-Hawks
Mr. Qutub U. K. Syed

Attending County staff included Taylor Bensley (Preservation Services staff), Jenifer Nugent (Strategic Planning Division Chief), and C. Pete Gutwald (Director, Department of Planning).

1. Selection of Chair and Vice-Chair

Mr. Brennan informed the Commission that he and Mr. Kellman wished to continue their respective positions as Chair and Vice-Chair. Mr. Brennan continued that it would be his last year as Chair and encouraged Commissioners to reach out to him, Mr. Kellman, or staff if they were interested in filling either role next calendar year.

Mr. Thaler moved that Mr. Brennan continue for another term as Chair and Mr. Kellman for another term as Vice-Chair. Mr. Myer seconded the motion which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.

(Authority for Action - Baltimore County Code Article 3: Title 3: 1203: Officers)

2. Review of the Agenda
Ms. Bensley reported there were no changes to the Preliminary Agenda published January 2\textsuperscript{nd}, 2020.

3. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the November 14\textsuperscript{th}, 2019 Minutes. Hearing none, Mr. Brennan called for a motion to approve the Minutes as drafted. Mr. Hord moved to approve the Minutes as drafted. Mr. Myer seconded the motion, which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.

4. **Consent Agenda**

Ms. Bensley read the Action Recommendations for Consent Agenda Items 5, 6, and 7.

Mr. Brennan called for a motion on the items. Mr. Hord moved to approve the Consent Agenda items as proposed. Ms. McIver seconded the motion, which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.

Mr. Brennan noted that he felt the upgrades included in item #6 were extensive; he raised a question for future discussion about levels of reasonableness. Mr. Hord stated the law would need to be changed to give the Commission purview on that.

**Items for Discussion and Vote**

**5.** McLaughlin Property, 1016 Windsor Road, Sudbrook Park; Contributing structure in Expansion 2 of the Sudbrook Park County Historic District; MIHP # BA-3034; Installation of heat pumps [County Council District # 2]

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

*Citing National Park Service, Technical Preservation Services, Preservation Brief # 24 - Heating, Ventilating, and Cooling Historic Buildings – Problems and Recommended Approaches; County Code, Sec 32-7-403*

**6.** Batoff Property, 1021 Greenspring Valley, Timonium; Contributing structure in the Greenspring Valley National Register Historic District; Part II approval for plaster repairs and electrical work [County Council District # 2]

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

*Citing National Park Service, Technical Preservation Services, Preservation Brief # 18 - Rehabilitating Interiors in Historic Buildings: Identifying and Preserving Character-Defining Elements; County Code, Sec 11-2-201*
**7.** Drude Property, 4950 Tulip Avenue, Relay; Non-contributing structure in the Relay County Historic District; Installation of a 10’ by 16’ pre-built wood shed [County Council District # 1]

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

*Citing Baltimore County Historic Design Guidelines: Fences & Landscapes, p. 5; County Code, Sec 32-7-403*

8. O’Haro Property, 5008 Cedar Ave, Relay; Infill structure in the Relay County Historic District; Ex-post facto approval for amended scope of work for building plans [County Council District # 1]

Ms. Bensley introduced the item, which included ex-post facto approval for amended building plans. She explained that the approved plans were issued a Notice to Proceed by a Technical Committee on behalf of the Commission in April 2018 with various conditions and the understanding that any proposed changes to the drawings would need prior review and approval from the Commission. She continued that, when staff received a Historic Review Application for a pool, spa, and fence in November 2019, discrepancies were found – specifically the addition of one Palladian window on the right elevation and the removal of the bathroom window on the left elevation – between the photos provided with the Historic Review Application and the approved plans accompanying the permit for new construction. The request for ex-post facto approval was reviewed at the November 14th, 2019 LPC meeting and the Commission voted not to issue a Certificate of Appropriateness or a Notice to Proceed; the homeowner was seeking review again to allow the Commission to hear why field modifications were made although no prior Commission review was requested.

Mr. Brennan recognized the owners of the property, Mr. Kyle O’Haro and Ms. Kimberly O’Haro.

Ms. Marina Novaes entered the meeting at 6:15 PM.

Mr. O’Haro noted that he and his wife were not able to attend the November meeting and thanked the Commission for reviewing the request again so they could explain the discrepancies.

Mr. Brennan questioned if Mr. O’Haro understood the Commission concerns, specifically with the addition of the Palladian window.

Mr. Hord asked if the windows on the right elevation were all on one floor level. Mr. O’Haro stated it was not and that there was a set of stairs and a landing.

Mr. O’Haro explained that the Palladian window was accidentally left on the window order and therefore ordered erroneously. He continued that the windows were installed in July of 2019 when he was on vacation and was not aware of the change until he returned.

Mr. Brennan sought clarification on what Mr. O’Haro’s request was. Mr. O’Haro informed the Commission he was seeking approval for the field modifications. He expressed he felt the change was still in-keeping with the neighborhood and that the Palladian window could not be raised.
because the arch of the window was already close to the ceiling. Mr. Hord stated it appeared the window could be raised.

Mr. Holman clarified that the window was installed by mistake but that the homeowners still wanted to keep it. Mr. O’Haro confirmed.

Mr. O’Haro provided the Commission with a more recent photo of the property than what was provided to staff. Mr. Weston noted that siding was already installed. Mr. O’Haro confirmed siding was installed because he did not want to deviate from the contractor schedule.

Mr. Brennan questioned what window was removed from the approved drawings. Mr. O’Haro explained that it was a bathroom window, however the interior was redone and the window no longer fit.

Mr. Thaler inquired if the Palladian window could be moved or removed since the siding was already installed. Mr. Hord confirmed it could be done.

Ms. Novaes commented that she drove by the property and felt the change was acceptable. Mr. Schmidt agreed.

Mr. Hord expressed he felt it was disingenuous to not appear before the Commission until January if the homeowners knew about the change in July. He continued that he did not feel the Palladian window looked appropriate. Mr. Brennan agreed.

Mr. Brennan explained the site's unfortunate history, which included a historic home burning down, and that the Commission had a responsibility to assure the home that went up in its place was the best it could be. He continued that he did not feel the change to the left elevation was significant, however he did not feel the addition of the Palladian window on the right elevation was appropriate.

Mr. Hord moved to not issue a Certificate of Appropriateness or a Notice to Proceed for the ex-post facto approval for amended building plans as proposed. Mr. Myer seconded the motion which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Kellman, Ms. McIver, Mr. Myer, Mr. Scott, and Mr. Weston. Mr. Johnson, Ms. Novaes, and Mr. Schmidt voted against the motion. Mr. Thaler abstained from voting.

Mr. O’Haro questioned what his next course of action should be. Mr. Brennan informed him he could file an application seeking approval to raise the Palladian windows, or he could correct what was built to ensure it matched the approved plans.

*Citing Baltimore County Historic Design Guidelines: Additions and Infill, p. 5; Windows and Doors, pp. 1-5; County Code, Sec 32-7-403, 32-7-405*
9. Person Property, 6915 Kenleigh Road, Stoneleigh; Contributing structure in the Stoneleigh National Register Historic District; Part II approval for the replacement of existing wood windows with vinyl, double pane windows [County Council District # 5]

Ms. Bensley introduced the project, which included Part II tax credit approval for the replacement of existing wood windows with vinyl, double pane windows where wooden double hung windows with single pane glass currently existed. She continued that the Design Guidelines did not support the replacement of wood windows with vinyl.

Mr. Brennan confirmed the homeowner would still be able to complete the project but not receive a tax credit because the property was in a National Register Historic District.

Mr. Weston moved to not issue a Certificate of Appropriateness or a Notice to Proceed for the Part II approval for the replacement of wood windows with vinyl, double pane windows as proposed. Mr. Thaler seconded the motion which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Ms. Novaes, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.

Citing Baltimore County Historic Design Guidelines: Windows and Doors, p. 2; County Code, Sec 11-2-201

10. Johnson Property, 600 Sudbrook Road, Sudbrook Park; Contributing structure in the Sudbrook Park County Historic District; MIHP # BA-3040; Part II approval for various interior and exterior restoration items for the main home, the carriage house, and the greenhouse [County Council District # 2]

Ms. Bensley introduced the agenda item by providing a brief history on the property, which was a vacant, ten bedroom, ten bathroom Victorian style home with a carriage house and greenhouse on the property. She continued that the property was previously used as an assisted living facility and the new owners wished to restore the property and return it to its former use. Ms. Bensley explained that the owners were seeking approval for Baltimore County’s Commercial Historic Tax Credit Program, and that the work proposed was extensive and included work to the primary structure, the carriage house, and the greenhouse. She went on to inform the Commission that staff and a Technical Committee visited the property on January 7th, 2020 for a site visit and members of the Technical Committee requested the applicant submit floor plans; upon e-mail correspondences with staff, the applicant expressed that floor plans were not provided because the floor plans were not changing and there would be no frame or interior wall demolition.

Mr. Brennan recognized Mr. Morrison Omoruyi and Mr. Bobby Olaniran, contractors for the property.

Mr. Brennan acknowledged that the primary structure was in fair condition on the exterior, however, the interior trim, baseboards, and pipes had been removed. He questioned if any work had been completed inside; Mr. Omoruyi confirmed they had not touched anything on the property.
Mr. Brennan explained that, because the property is within a County Historic District, the
Commission had purview over the exterior of the primary structure, the carriage house, and the
greenhouse. He continued that because the property owners were seeking a tax credit, the
Commission also had purview over the interior. He then read an excerpt from Melanie Anson’s
book *Olmsted’s Sudbrook: The Making of a Community* that provided a brief history on the
property.

Mr. Hord questioned if the Commission was reviewing the interior work. Mr. Brennan confirmed.
Mr. Hord stated he did not feel the Commission could review the interior work if no plans were
provided. He continued that he felt building without plans was dangerous and not in the
contractors best interest.

Mr. Thaler asked if the new owners had confirmed they could restore the property to its use as an
assisted living facility. Mr. Omoruyi confirmed they had checked with the Zoning Office and an
assisted living facility was allowed. He continued that it was most recently an assisted living facility
in 2015, however, a roof leak developed and the property was left to deteriorate.

Mr. Omoruyi stated that they would not change the floor plans and planned to restore what was
existing. Mr. Hord noted he was concerned how the contractors would restore features if there
was nothing existing to base replacements on.

Mr. Weston agreed with Mr. Hord and stated he did not feel the Permits, Approvals, and
Inspections Office would issue a building permit for the work without a set of plans.

Mr. Weston questioned if the contractor was required to install Cypress moldings if that was what
was there originally. Mr. Brennan stated it could be an alternative material, however, that could
be a later discussion when the Commission had a formal set of plans to review.

Mr. Brennan explained that the Commission would like to see details regarding the interior
features, including trim and how they proposed to level the floors. He advised that the
Commission preferred a “do no harm” approach and that building plans would be useful to clearly
document the proposed work.

Mr. Hord noted that elevation drawings may also be required as some windows were missing and
the Commission would need to approve work of that matter. He continued that elevation
drawings would be necessary for the carriage house and greenhouse to confirm appropriate
materials were proposed.

Mr. Brennan explained that a set of plans would serve as somewhat of a contract to ensure work is
completed as approved.

Mr. Myer moved to table the Part II Commercial Tax Credit Application, pending the submission of
detailed floor plans and elevation drawings. Mr. Thaler seconded the motion.
Mr. Weston clarified the property owners could complete the interior work without review from the Commission in the event they no longer wished to pursue tax credit; Mr. Brennan confirmed.

Mr. Scott questioned if tabling the application would preclude the owners or contractors from replacing the roof. He continued that the property was in poor condition and waiting until the February meeting was another month the property would continue to deteriorate. Mr. Thaler asked the contractors if there was anything pressing they felt they needed to complete before the Commission’s next meeting. Mr. Omoruyi stated that work items one and two, which included work to the roof, gutters, downspouts, and chimney flashing were the most important work items for stabilizing the property. Mr. Thaler proposed the Commission approve the roof separate from the tax credit so the contractors could begin work. Mr. Hord questioned the material of the roof. Mr. Omoruyi stated the existing roof was black asphalt shingle and they proposed replacing it in kind.

The motion to table the tax credit application passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Ms. Novaes, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.

Mr. Thaler moved to issue a Certificate of Appropriateness for work items one and two of the proposal only with the condition that all work be completed in kind in both material in style. Mr. Hord reiterated that all materials were to be replaced in kind; he continued that if the materials in the submittal differed from what was existing, what was existing governed and replacements were to match that. Mr. Myer seconded the motion, which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Ms. Novaes, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.


11. “Notting Hill (Lurman-Riggs House) Carriage House and Setting” (Catonsville Center for Alternative Studies), 901 S. Rolling Road, Catonsville; Final Landmark # 363; MIHP # BA-3153; Replacement of ten aluminum windows with mechanical louvers for air conditioning and installation of air conditioning equipment to the roof to the 1950’s school building located within the setting [County Council District # 1]

Ms. Bensley introduced the item, which involved the replacement of ten exterior windows with mechanical louvres for air conditioning equipment and approval for the installation of air condition equipment to the rooftop. She explained that the existing windows were aluminum frame and glass construction and in good condition and working order. She continued that the proposed
louver was aluminum in construction and color and, of the ten windows proposed for replacement, six are located to the rear of the building and not visible from any public right of way; the additional four are located on the south facing façade of the building, and would be visible from South Rolling Road. Ms. Bensley went on that the three round top units proposed to be on the roof of the building are centralized near the center of the building. She concluded by explaining that the 1950’s school building was not a contributing structure for the landmark, and the work only required prior review and approval because the landmark listing delineated the entire 4.96 acre parcel as the Historic Environmental Setting.

Mr. Brennan recognized Mr. Ian Simmick, the Baltimore County Public Schools representative for the project.

Mr. Brennan confirmed that the work was being done to the 1950’s school building attached to Notting Hill. Mr. Simmick clarified that the school building was adjacent to the carriage house but not attached to it.

Mr. Simmick explained that the project was part of Baltimore County’s push to air condition all of their schools. He explained that the window units were for ten classrooms and the three rooftop units were for an interior science classroom, an interior art classroom, and the physical education area.

Mr. Hord commented that studies had shown students performed better when classrooms offered natural light. He continued that he did not feel the mechanical louvres were aesthetically pleasing, but that he did not feel the Commission had grounds to deny the proposal.

Mr. Weston questioned if the louvres could be smaller. Mr. Simmick explained that the louvre was approximately 42” wide by 48” tall. Mr. Weston and Mr. Hord noted that the dimensions did not match those provided on the plans. Mr. Simmick clarified the louvre was drawn too wide on the plans and explained that the size of the louvre was standard for the size of the unit; a smaller louvre was not possible.

Mr. Hord stated his company has worked with mechanical louvres and that he did not feel they needed to be that large. He encouraged the representative to look into smaller louvres.

Mr. Thaler questioned the historic nature of the school. Mr. Schmidt confirmed the school was not historic, however it was within the Historic Environmental Setting. Mr. Hord noted that anything within the setting was within the Commission’s purview. Mr. Thaler concurred, but countered the school building was a non-contributing resource and the change would not impact the landmark.

Mr. Brennan stated that future projects should be more window and less louvre.

Mr. Schmidt moved to issue a Notice to Proceed for the replacement of ten aluminum windows with mechanical louvers for air conditioning and for the installation of air conditioning equipment to the roof as proposed. Mr. Myer seconded the motion which passed with affirmative votes being
cast by Mr. Holman, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Ms. Novaes, Mr. Schmidt, Mr. Scott, and Mr. Thaler. Mr. Brennan, Mr. Hord, and Mr. Weston voted against the motion.

*Citing Baltimore County Historic Design Guidelines: Windows and Doors, p. 5; National Park Service, Technical Preservation Services, Preservation Brief # 24 - Heating, Ventilating, and Cooling Historic Buildings—Problems and Recommended Approaches; County Code, Sec 32-7-403*

**Other Business**

Ms. Bensley reported on the following historic property tax credit applications that was approved by staff as an emergency repair:

Wells Property, 305 Hopkins Road, Rodgers Forge; Emergency approval for a new roof.  
[County Council District #5]

Ms. Bensley informed the Commission that the Baltimore County Council would be holding a public hearing on Tuesday, January 21st for two properties to be added to the Final Landmarks List. The properties were “Former Catonsville Elementary School”, (school & setting) located at 615 Frederick Road in Catonsville and “Halethorpe Colored School” (excluding 1968 addition) and setting (Lot 64 – Plat of East Halethorpe) located at 1900 East Northeast Avenue in Halethorpe.

Mr. Myer moved to adjourn the meeting. Mr. Schmidt seconded the motion, which passed with affirmative votes being cast by Mr. Brennan, Mr. Holman, Mr. Hord, Mr. Johnson, Mr. Kellman, Ms. McIver, Mr. Myer, Ms. Novaes, Mr. Schmidt, Mr. Scott, Mr. Thaler, and Mr. Weston. There were no dissenting votes.

The meeting adjourned at 7:21 PM.

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