

**Local Advisory Committee (LAC) for the Old Town College Park Historic District**  
**March 17, 2022**  
**Via Teleconferencing through GoToMeeting**

LAC Members Present: Richard Biffl, Chairman, Bob Schnabel, David Dorsch, Gesine Pryor Azevedo, Katharine Bryant, Mary Marshall Levy, Michael Meadow, Kacy Rohn, Holly Simmons

LAC Members Absent: N/A

Staff Present: Thomas Gross, Planner Coordinator, Maryland National Capital Park and Planning Commission (MNCPPC)  
Miriam Bader, Senior Planner, City of College Park  
Terry Schum, Director of Planning and Development, City of College Park  
Sheryl DeWalt, Contract Secretary

Also present: John Peter Thompson, Chair, Historic Preservation Commission, Prince George's County  
Howard Berger, Supervisor, Historic Preservation Commission (HPC), MNCPPC  
Bradley Farrar, Legal Counsel, Historic Preservation Commission, Prince George's County

The meeting was called to order at 7:04 p.m. by Mr. Biffl, Chairman.

1. The agenda was reviewed. Ms. Bryant made a motion to accept the agenda with an amended change for committee introductions. Mr. Schnabel seconded. **Motion carries 9-0-0.**
2. The November 2, 2021, minutes were reviewed. Mr. Schnabel made a motion to accept the minutes. Mr. Meadow seconded. **Motion carries 9-0-0.**
3. Committee, staff, and invited guests were virtually introduced.
4. Orientation for conduct of College Park Historic District LAC meetings. The orientation was conducted primarily by Mr. Thompson and Mr. Farrar. The information for Historic Preservation for Prince George's County can be found under the Prince George's County Code, Section 29-106. References in the Code for the LAC are as follows:
  - Powers and Duties of the Commission.
    - Subsection (a)(3) – Acting upon Historic Work Permit Applications (HAWP) and other matters
    - Subsection (a)(4) - To appoint members to local advisory committees to assist and advise the Commission in the performance of its functions

The LAC assists the HPC in reviewing site plans and subdivision of land/buildings, legislation – items that could potentially affect historic preservation in zoning and landscape matters for the local jurisdiction. The LAC makes recommendations to the HPC based upon what is stated in the appropriate criteria and guidelines.

HAWP Review Procedures:

- Some HAWPs can be reviewed at the staff level reviews as they are considered minor work permits. HPC review is not necessary.
- Any HAWP that receives a recommendation of denial from the LAC will be reviewed by the HPC

- LAC review of HAWPs and recommendations to the HPC are to be based on Section 29-111 - Criteria for Historic Area Work Permits
  - (a) The Commission shall instruct the Director to deny a permit if it finds, based on the evidence and information presented to it, that the alteration for which the permit is sought would be inconsistent with, or inappropriate or detrimental to, the preservation, enhancement, or ultimate protection of the historic resource and the purposes of this Subtitle.
  - (b) The Commission shall instruct the Director to issue a permit subject to such conditions as are found to be necessary to ensure conformance with the purposes and requirements of this Subtitle, if it finds that:
    - 1) The proposal will not substantially alter the exterior features of the historic resource;
    - 2) The proposal is compatible in character and nature with the historical, archaeological, architectural, or cultural features of the historic resource and is in harmony with the purpose and intent of this Subtitle;
    - 3) The proposal will enhance or aid in the protection, preservation, and public or private utilization of the historic resource in a manner compatible with its historical, archaeological, architectural, or cultural value;
    - 4) The proposal is necessary in order to remedy unsafe conditions or health hazards;
    - 5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
    - 6) In balancing the interests of the public in preserving the historic resource with the use and benefit of the alternative proposal, the general public welfare is better served by issuance of the permit.
  - (c) In the case of any application for work within an environmental setting of a Historic Site, or on property located within a Historic District, the Commission shall be lenient in its judgment of applications for structures of little historical or design significance or for new construction. This shall mean that the Commission will authorize issuance of such permit, with any necessary conditions, if authorization of such permit would not impair the character of the Historic Site or Historic District.
  - (d) Nothing in this Subtitle shall be construed to limit new construction, alteration, or repairs to any particular period or architectural style. (This was explained to mean that the building is deemed to be a reflection of time and place when built. Compatibility is encouraged.)
- The hierarchy of LAC review criteria for HAWPs is (a) 29-111 criteria; (b) Secretary of the Interior's *Standards for Rehabilitation*; and (c) Historic District Design Guidelines
- LAC reviews development applications that include zoning map amendments, conceptual site plans and detailed site plans; DSP review may include architectural drawings, engineering specifications for such items as roofing, windows, and doors of newly built structures, fencing, and adequate buffering for landscape concerns.
- The HPC will review recommendations from the LAC on development applications. The HPC then makes an advisory recommendation to the Planning Board and County Council for a final decision.
- The HAWP process has to be completed within 45 days from the time a permit is received and determined to be complete.

#### LAC Meetings:

- LAC should have a standard scheduled monthly meeting date. If there is no business to discuss, the meeting will be canceled with a minimum of 48 hours' notice. Mr. Gross will send out an inquiry to the committee on a suggested standard meeting date. (The HPC meetings on the 3<sup>rd</sup> Tuesday of each month; agenda items are due on the 2<sup>nd</sup> Tuesday of each month.)

- Robert's Rules of Order should be followed.
- LAC meetings are governed by the Maryland Open Meetings Act. As such, the meetings are open to the public.
- LAC members who miss three (3) consecutive meetings, without an excused absence, may be removed from the committee.
- LAC members are discouraged from directly contacting an applicant and anyone associated with the applicant (architects, engineers, attorneys, etc.) and discussing the application outside of the regular LAC meeting; this includes contact in person, via email, text messages, social media, or phone calls. This is a direction violation of the Maryland Open Meetings Act.
- LAC members may not express an individual opinion to an applicant; it is considered *ex parte* communication.
- A quorum of LAC members cannot meet or have an email exchange discussing LAC business. This is a violation of the Maryland Open Meetings Act.
- Workshops and educational seminars may be planned for the public but cannot reference any specific applicant or HAWP.
- Motions on HAWP, if the LAC wants to not recommend it to the HPC, should always be stated in the positive and not negatively stated. The criteria used to not recommend the HAWP to the HPC should solely be based on the guidelines and criteria in either Section 29-111 or the Secretary of Interior's *Standards for Rehabilitation*.
- Any correspondence received from an applicant, or anyone associated with the applicant must be presented in an LAC meeting for public record.
- LAC members cannot enter private property without permission – this is trespassing. If an LAC member wants to view the property, prior arrangements must be made through HPC staff and written permission must be obtained from the owner.

If there are any questions or concerns with the process, please refer them to Mr. Gross. If he is unable to respond, he will refer the question/concern to HPC chair and/or HPC legal counsel.

5. Mr. Biffel stated at the next LAC meeting, nominations and voting will take place for a Chair and Vice Chair.

Mr. Dorsch made a motion to adjourn the meeting. Mr. Meadow seconded the motion. **Motion carries 9-0-0.** The meeting was adjourned at 8:21p.m.

Respectfully submitted by Sheryl DeWalt, contract secretary.