



PRINCE GEORGE'S COUNTY HISTORIC PRESERVATION COMMISSION

County Administration Building • 14741 Governor Oden Bowie Drive, 4th Floor, Upper Marlboro, Maryland 20772
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Approved March 21, 2017

Summary of Actions

Prince George's County Historic Preservation Commission
Tuesday, February 21, 2017, 6:30 p.m.
4th Floor Board Room, County Administration Building

Commissioners Present:	Chairman John Peter Thompson, Vice Chair Edward M. Scott Nathania Branch Miles, Michael Callahan, Eddy Campbell, Lisa Pfueller Davidson, Yolanda Muckle, Susan Pruden, Donna Schneider
Commissioners Absent:	N/A
HPC Counsel:	Bradley Farrar, Esq.
Staff Present:	Howard Berger, Robert Krause, Thomas Lester, Jennifer Stabler, Frederick Stachura

Guest: Name/Organization

Agenda Item

Speakers

Ronald Fisher Commander American Legion Warffemius-Seidler, Post 381	C.
Maha Tariq Community Planning Division M-NCPPC	D.
Melanie Hartwig-Davis Perkins Chapel (Historic Site 64-005)	D.
Miriam Bader Senior Planner City of College Park	D.
Richard Biffel Chairman of the Local Advisory Committee Old Towne College Park Historic District	D.
Samuel J. Parker, Jr. Board Member Amen Trust Bostwick (Historic Site 68-005-09)	D.
Pete Charleri SunSplash Farm, LLC	D.

Carlton Joseph SunSplash Farm, LLC	D.
William Shipp O'Malley, Miles, Nysten & Gilmore, P.A. Property Owner Representative	F.1.
Andre Gingles Gingles, LLC Property Owner Representative	F.1.
Joseph "Jay" Addison, II Upper Marlboro, MD	F.1.
Edith Pulscak St. John's Church and Cemetery Fort Washington, MD	F.1.
June White Dillard African American Heritage Preservation Group	F.1.
Michael Leventhal President of the Board of Trustees Conservancy of Broad Creek	F.1.
Tanya Lyle Waldorf, MD	F.1.
Christian Carter, Jr. Washington, DC	F.1.
French Wallop Washington, DC	F.1.
Maggie Sliker Upper Marlboro, MD	F.1.
Christopher Clagett Holland Shady Side, MD	F.1.
Walter Delany Addison, II Atlanta, GA	F.1.
Karen Egloff Oxon Hill, MD	F.1.
Sarah Cavitt President Riverbend Estates Neighborhood Association	H; F.1.

Bonnie Bick
Oxon Hill, MD F.1.

Todd and Diane Bahrenburg
Harwood, MD H.

Attendees

Margaret Addison Shepard
Washington, DC F.1.

William Addison, Jr.
Upper Marlboro, MD F.1.

Floyd and Linda Harris
Upper Marlboro, MD F.1.

Tom Gross
Alexandria, VA

A. Call to Order

Chairman Thompson called the meeting to order at 6:31 p.m. Vice Chair Scott read introductory remarks about meeting procedures into the record. Chairman Thompson noted that Commissioner Branch Miles, Commissioner Callahan, and Commissioner Muckle would arrive late, but that a quorum was present. Commissioner Callahan and Commissioner Muckle arrived at 6:32 p.m., and Commissioner Branch Miles arrived at 7:08 p.m.

B. Approval of Meeting Summary – January 17, 2017

MOTION: Commissioner Pruden moved to approve the January 17, 2017 meeting summary as written. The motion was seconded by Commissioner Schneider. The motion was approved by acclamation and without objection (8-0, Commissioner Branch Miles had yet to arrive).

C. Update on Wilmer’s Park (Historic Site 86B-037)

Commander Ronald R. Fisher of the American Legion, Warffemius-Seidler Post 384, said that the American Legion was interested in leasing the property from M-NCPPC and restoring/readapting the site for a variety of uses. Commander Fisher handed out a map of Wilmer’s Park (Exhibit 1), that showed a general site plan for the area. Potential uses included paintball, aquaponics, campground, baseball diamond, and concert hall. He then showed photographs of the property, and pointed out that some of the buildings, such as the pavilion, outdoor stage, and guard house could be restored, while others such as the concert hall were unsalvageable and would have to be demolished.

The American Legion’s plan for the property includes two phases. Phase one would take place over the first two years and would include setting up the camping area and the paintball course, restoring the baseball diamond and outdoor stages, and constructing the aquaponics facility. Phase two would occur over the next three to five years and would include reconstructing the concert hall and the house. He added that a temporary modular home would be placed on the property during restoration and construction, and that four prefabricated sheds would be placed for storage.

Commissioner Davidson asked if the American Legion was in a lease agreement with the property owner.

Commander Fisher said that they were not in a lease agreement yet, but wanted to present their plan to the HPC to determine if their idea for the property would be appropriate for the historic site. Commissioner Davidson commented that additional research should occur before reconstructing the concert hall to better reflect its original appearance. Commissioner Davidson also asked about funding for the project. Commander Fisher said that some funding had been secured and that more funding would be pursued over the next few years.

MOTION: Commissioner Pruden moved to support the high-level concept for the property presented by the American Legion, Warffemius-Seidler Post 384, and encouraged the American Legion to explore a lease agreement with M-NCPPC. The motion was seconded by Commissioner Schneider. The motion was approved by acclamation and without objection (8-0, Commissioner Branch Miles had yet to arrive).

D. Approval of FY 2017 Historic Property Grant Program Recommendations to Planning Board

Maha Tariq, the grant program administrator, stated that the total grant funding requested was \$458,141 but that there was only \$250,000 available. Consequently, the grant committee recommended only seven of the thirteen project applications receive full or partial funding. Ms. Tariq stated that the applications were each scored using criteria adopted by the Planning Board. The criteria include assessing details of the project such as historic significance, administrative capability, and urgency of financial assistance. Ms. Tariq then discussed each project application from the highest scoring to the lowest scoring.

The Clagett House at Cool Spring Manor (Historic Site 74B-015) requested \$50,000 to repair flooring and the chimney. The grant committee recommended fully funding the project at \$50,000. Bostwick (Historic Site 69-005-09) requested \$50,000 to repair the failed buttress. The grant committee recommended fully funding the project at \$50,000. Perkins Chapel (Historic Site 64-005) requested \$50,000 to repair the roof, repair the plaster, repoint the brick, and paint the exterior. The grant committee recommended fully funding the project at \$50,000. Old Parish House (Historic Site 66-042-09) requested \$40,187 to repair the windows, doors, and siding, and to replace the gutters and downspouts. The grant committee recommended fully funding the project at \$40,187. The Croom Settlement School (Historic Site 86A-027-24) requested \$44,785 to restore an outbuilding. The grant committee recommended partially funding the project at \$32,510. The tobacco barn at Sunsplash Farm, LLC (Documented Property 86A-XX) requested \$23,892 to repair the roof, doors, and floors, and to make the barn handicap accessible. The grant committee recommended partially funding the project at \$15,291. The Dr. Charles Fox House (Historic Site 61-007) requested \$23,661 to repair the windows. The grant committee recommended partially funding the project at \$14,906. The Miller-Spicknall House (Historic Site 68-010-87) requested \$32,002 to repair the windows. The grant committee recommended not funding the project due to a lack of available funds. Mullikin's Delight (Historic Site 74A-010) requested \$40,830 to repair the roof. The grant committee recommended not funding the project due to a lack of available funds. The Browning-Baines House (Historic Site 69-019) requested \$18,934 to restore the spring house. The grant committee recommended not funding the project due to a lack of available funds. The Wheelock House (Historic Site 68-10-31) requested \$18,200 to repair the roof and front porch, and to paint the exterior. The grant committee recommended not funding the project due to a lack of available funds. Hawkins Tobacco Barn (Historic Site 85A-086) requested \$22,000 to repair the roof, siding, and foundation. The grant committee recommended not funding the project because the application was never completed. The Edelen House (Historic Site 84-023-06) requested \$43,650 to repair the windows and porch. The grant committee recommended not funding the project because the application was never completed.

Ms. Melanie Hartwig-Davis, representative for the Perkins Chapel, thanked the HPC for their continued support in the restoration of the chapel.

Ms. Miriam Bader, senior planner for the City of College Park, stated that the city was in support of the grant recommendation to fund the project for the Old Parish House. Mr. Richard Biffl, chairman of Old Towne College Park Historic District's Local Advisory Committee (LAC), stated that the LAC also was in support of the grant recommendation to fund the project for the Old Parish House. He added that the building is an important gathering place for the community.

Mr. Sam Parker, board member of the Aman Trust, said that the Amen Trust has partnered with the Town of Bladensburg to complete the restoration of Bostwick. He added that the grant funds would be extremely helpful in restoring the house.

Mr. Pete Charleri, representative of SubSplash Farm, LLC, thanked the HPC for their consideration in funding the repairs of the historic tobacco barn. Carlton Joseph, SubSplash Farm, LLC property owner, also thanked the HPC.

MOTION: Commissioner Callahan moved that the HPC recommend to the Planning Board to approve the historic property grant committee's funding recommendations. The motion was seconded by Commissioner Schneider. The motion was approved by acclamation and without objection (8-0, Chairman Thompson voted "Present").

E. Tax Credit

1. 2017-001 Beechwood (Historic Site 79-060) – The property owner applied for a tax credit for painting exterior portions of the house, repairing the slate roof, repointing the masonry, installing an iron railing and new storm windows, extending the basement brick entry floor, and painting the front portico. The stated work met Standard 6 of the Secretary of the Interior's Standards for Rehabilitation and provisions 1, 3 and 4 of Subtitle 29-111(b). Staff recommended approval of the tax credit in the amount of \$27,552.92 or 25% of the total eligible expenditures (\$110,207.68). Dr. Krause said that the work that was not considered ordinary maintenance was approved under HAWP 06-12.

MOTION: Commissioner Davidson moved that the HPC approve Tax Credit 2017-001 Beechwood (Historic Site 79-060) in the amount of \$27,552.92 or 25% of the total eligible expenditures (\$110,207.68) to apply to fiscal year 2013 the tax year following the year in which the work was completed. The motion was seconded by Commissioner Pruden. The motion was approved by acclamation and without objection (8-0, Chairman Thompson voted "Present"; Commissioner Branch Miles had arrived).

F. Historic Area Work Permits

1. HAWP 2016-036 Addison Cemetery/Disinterment (Historic Site 80-050) – Dr. Jennifer Stabler stated that the applicant applied for a HAWP to relocate the cemetery on August 11, 2016 after having received approval of DSP-07073-02, which proposed to preserve the cemetery in place. However, the HPC hearing on HAWP 2016-036 was delayed by the applicant in order to provide additional public outreach and receive public input. Dr. Stabler noted that the HPC was not the only agency required to grant approval for the relocation of the cemetery and that the applicant must also gain the approval of the State's Attorney's Office. Interested parties can express concerns through that process as well. Also, the Maryland Historical Trust (MHT) was given the opportunity to review the archeology work plan and provide comment.

Dr. Stabler said that based on archeology and research, the cemetery originated approximately 300 years ago, and is known to contain seven grave markers. Ground penetrating radar and

electrical resistivity surveys suggest that up to 70 graves may be present. The parcel around the cemetery was cleared of vegetation and graded in the early 1990s in preparation for the unrealized Port America project. The property is currently zoned M-X-T, a high-intensity mixed-use zone, per the approved sector plan and sectional map amendment. The proposal involves documenting all the gravestones and their current configurations, and then removing the topsoil using mechanized equipment under the supervision of a trained archeologist, who will identify grave shafts. Once the grave shafts are identified, a team of archeologists will use hand tools to carefully remove any and all human remains and casket fragments. All the soil will be sifted to ensure all the remains have been collected. The remains will be placed in small containers and analyzed by a forensic anthropologist who will attempt to identify characteristics of the deceased such as race, age, and gender. An archeological report will be generated for MHT and M-NCPPC's review. The containers will then be transferred, by a funeral director, to their new location and reinterred as closely as possible to the documented historic configuration. Previously the applicant proposed relocating the remains to St. Barnabas Church and Cemetery (Historic Site 76A-004). However, based on input from descendants the applicant has determined that St. John's Church and Cemetery (Historic Site 80-024-07) in Broad Creek was more closely tied to the family. St. John's Church has agreed to the relocation and to provide perpetual care over the site. The applicant also proposes to install interpretative signage regarding the cemetery at the corner of a nearby intersection and bike trail, and to install a historical marker near the cemetery's former location, a portion of which will remain a Historic Site.

Dr. Stabler said that based on the proposed development, high-rise buildings on three sides of the cemetery, the context of the cemetery and its historic integrity would be compromised, if it were to remain *in situ*. It is staff's opinion, that the relocation of the cemetery away from new construction is appropriate in order to provide for its long-term preservation and protection. Staff also concurs that the proposed mitigation measures are sufficient and will adequately honor the history of the site for centuries to come. Therefore, staff recommended that the HPC approve HAWP 2016-036, for the relocation of Addison Cemetery (Historic Site 80-050) to St. John's Church and Cemetery (Historic Site 80-024-07) as meeting criterion (3) of Subtitle 29-111(b) and standards 5 and 8 of the *Secretary of the Interior's Standards for Rehabilitation* with the following three conditions (1) that the exhumation of the human remains within the Addison Family Cemetery shall not commence until a suitable site for their reburial is confirmed and all necessary County/State approvals have been received; (2) that the Historic Preservation Commission shall not review the request for the redetermination of the Environmental Setting of the Addison Family Cemetery Historic Site until the archeological investigations at the site have been completed and the burials have been removed and re-interred in the St. John's Broad Creek Historic Site cemetery according to the agreed upon plans and specifications; and (3) that any revision to an approved detailed site plan that includes either the Addison Family Cemetery historic site's Environmental Setting or proposes the installation of an interpretive or commemorative area at National Harbor to include landscaping, benches, a walking path and historical markers focused on the story of the Addison family and life on the Addison Plantation, shall be reviewed by the Historic Preservation Commission or its designee to ensure accuracy and completeness.

Chairman Thompson asked Mr. Howard Berger if the HPC has ever granted the relocation of a cemetery. Mr. Berger replied that the HPC has granted the relocation of a family cemetery from the Beechtree development project to a new location in Upper Marlboro, MD.

Mr. William Shipp, the applicant's representative, said that the property owner purchased the property in 1996. At that time, the parcel had already been cleared and graded by the previous property owner. Mr. Shipp argued that the historic site lost its historic context at that time. Mr.

Shipp stated that the property was Zoned M-X-T approximately 20 years ago, and the Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area (April 2006) retained the intense M-X-T zoning, while the Plan Prince George's 2035 Approved General Plan (May 2014) designated the area as a major commercial center. Mr. Shipp then referenced a Memorandum of Agreement (MOA) from 2000 that included a statement regarding the interim treatment of the cemetery, which has been honored. The MOA also included a statement regarding the possible relocation of the cemetery to a suitable burial place, indicating the owner's intent to possibly relocate the cemetery.

Mr. Shipp said that the property owner has been sensitive to historic preservation by spending \$300,000 to curate archeological resources found by the previous owner, installing interpretative plaques, completing a preservation video project, maintaining the cemetery and submitting semi-annual condition reports on current conditions of the cemetery, and produced local preservation related publications for public consumption.

Mr. Shipp said that the owner wants to relocate the cemetery because they are concerned over accidental disturbance of the cemetery during the construction of the proposed hotel. He stated that criterion 1-6 of Subtitle 29-111 supports the relocation of the cemetery because the relocation will enhance the cemetery's protection by providing for perpetual care and maintenance, will preserve the exterior features of the site, i.e., the headstones, and will be completed carefully and mindfully by professionals. He argued that the new location will be more compatible by offering privacy for quiet contemplation and reflection.

Mr. Shipp stated the applicant wanted to add a finding to the staff recommendation. The proposed finding stated that "Upon completion of the Archaeological investigations at the existing Addison Family Cemetery site and once the burials have been removed and re-interred in the St. John's Broad Creek Historic Site Cemetery according to the agreed upon plans and specifications, the HPC should review the request for the redetermination of the Environmental Setting of the Addison Family Cemetery (Historic Site 80-050) to determine the appropriate possible reduced environmental setting based upon the removal of the burial sites and other historic features." (Exhibit 2).

Mr. Joseph (Jay) Addison, II, descendent of Colonel Walter Addison said that about 50 members of his family had been meeting with the property owner's representatives to discuss the possible relocation of the cemetery. Within their group discussions, the family took a vote to determine if the family agreed that the cemetery should be relocated. A majority of the family who participated in those discussions agreed with the staff recommendation and the applicant that the cemetery should be relocated, though the vote was not unanimous. The family also voted on where the cemetery should be relocated. This vote was unanimous and expressed that the cemetery should not be relocated to St. Barnabas Church and Cemetery, since the historic (Addison) cemetery was much older than the church, and the Addison family only had a weak connection to that church. Instead, the family felt that St. John's Church and Cemetery in Broad Creek was more appropriate as it was the church attended by the original Addisons. Mr. Addison entered into the record a list of family members that attended St. John's Church dating back to the 1600s (Exhibit 3).

Mr. Addison then stated that the family also recommended adding two additional findings and editing condition two of the staff report. Mr. Addison then read a letter into the record from the family's attorney, Mr. Richard R. Page Wyrrough (Exhibit 4). The family requested that the following two findings be added, (1) The reinternment of remains from the Addison Family Cemetery shall conform to the concepts shown on Exhibit 1 of the Applicant's February 6, 2017

supplemental memorandum, as may be amended, by St. John's Episcopal Church Broad Creek Cemetery and the Peterson Companies, L.C., subject to the approval of the HPC or its Designee; and (2) The reburial shall be done by and under the supervision of a Maryland accredited funeral director. Applicant acknowledges its intent to use Rausch Funeral Home, PA acting through William R. Gross for this purpose. The family also requested that condition one of the February 13, 2017 staff report be change to "St. John's Episcopal Church Broad Creek" after the word "site" in line two. Mr. Shipp said that the applicant had no objections to the family's additional findings or edits to the first condition.

Edith Pulscak, representative of St. John's Church, read a statement into the record from Michael Lacy, Senior Warden of St. John's Church (Exhibit 5). The statement said that the church would be honored to accept the remains of the Addison Family Cemetery, and confirmed that the church had established an escrow fund to provide for the perpetual maintenance of the cemetery.

Ms. June White Dillard, representative of the African American Heritage Preservation Group (AAHPG), said that the AAHPG objected to the relocation of the cemetery. She also stated that the applicant was not facing a "hardship" as defined by Subtitle 29 by preserving the cemetery in place. She emphasized this erroneous notion of hardship was challenged by the viable plan approved under DSP-07073-02 that proposed preserving the cemetery. She concluded that there had been little effort to reach out to all of the Addison family members. She then provided six letters from descendants of the Addison family that were not included in the Addison family group discussion led by Mr. Jay Addison (Exhibit 6). She also provided a family tree demonstrating the family lineage of the letters' authors (Exhibit 7). Mr. Shipp said that the applicant had not reviewed these letters and that they objected to them. Ms. White Dillard continued to read each letter into the record. The letters were from Addison Castle Ullrich, Bayne Peyton Howell, Dr. Francis Bradley Peyton, IV, Knight Breckinridge, Harriet Addison Castle, and Scott Peyton. Each letter expressed unified disapproval for the relocation of the Addison Cemetery.

Mr. Shipp responded to the letters by stating that the cemetery was not nationally historic but locally historic. He said that the requested continuances by the applicant were to allow for more public comment, not to prevent public comment. He stated that the letters' authors must have been aware of the pending case since they were aware of the continuances. He concluded that none of the letters addressed the criteria listed by Subtitle 29 that must be used by the HPC when denying or approving an HAWP.

Mr. Michael Leventhal, president of the board of trustees for the Conservancy of Broad Creek, argued that the cemetery has maintained its integrity because the ground had not been disturbed, and the remains had not been moved. He argued that the cemetery still had its historic context as it is still intact, despite the changing land uses around it. He cited examples of urban cemeteries that were preserved among tall skyscrapers. He argued that the relocation of the cemetery would not be preservation, because the remains would be placed in small containers, as opposed to caskets, and that they would not be put back intact or returned to their original layout. He stated that the original plan approved in DSP-07073-02, preserved the cemetery in place and made improvements; he then said that the applicant was being disingenuous and callous for changing the plan at the last minute. He concluded that the relocation of the cemetery was about money and not to achieve some altruistic goal. Lastly, he said that the proposed memorial was not going to be an ideal spot for contemplation given its location at a busy intersection. He also criticized the design because both the interpretive signage and benches were facing outward.

Ms. Tanya Lyle, stated that she was appalled about the disrespect given to the cemetery over the years given the importance of Walter Dulany Addison, an outspoken abolitionist who freed his slaves 70 years before emancipation. She stated that she was not invited to the meetings organized by Mr. Jay Addison, and only heard about the case by chance. She stated that Walter Dulany Addison planned his resting place 30 years prior to his death, as was revealed in the book written by his great, great granddaughter. She strongly opposed the relocation of the cemetery.

Mr. Christian Carter, Jr. stated that he had evidence that proved he owned the property containing the Addison Family Cemetery as well as Oxon Hill Manor (Historic Site 80-001). He then entered into the record several documents, including a copy of a 1764 land patent (Exhibit 8) and the certification of the duplicate land patent by the Maryland State Archives (Exhibit 9), as well as a copy of an article about the Addison School renovation (Exhibit 10). He said that the property owner has no right to relocate the cemetery, because they do not own the property. He stated that he is in the process of challenging ownership in court, and that this matter is far from over.

Ms. French Wallop said she was alarmed that the cemetery even could be moved. She stated that her religious beliefs placed great importance on one's final resting place. She said that it is the HPC's job to preserve the history of the County, and that the relocation of the cemetery would destroy history. She criticized the applicant for not contacting the families immediately, as was evident in their original proposal to move the cemetery to St. Barnabas Church, a place that had little to do with the Addison's family history. She stated that she is grateful for the applicant's contributions to the county, i.e., bringing development and enlarging the tax base, but pleaded with the HPC not to forget the Addison family's contributions. She strongly opposed the relocation of the cemetery.

Ms. Maggie Sliker said she supported the relocation of the cemetery to St. John's Church and Cemetery. She said it was what was best given the proposed development around the site. She said she has been convinced that the applicant would be careful in their treatment of the site and its relocation. She then inquired about the fate of the crypt on the property.

In response to Ms. Sliker, Dr. Stabler said that in 1971 a group of amateur archeologists excavated the crypt site using a back hoe, believing they could find John Hanson. At that time, they were unable to find any human remains. The site was later excavated in the 1980s by professional archeologists, who confirmed that no human remains had remained. It is believed that in years prior the site was vandalized, and that any remains had been removed at that time.

Mr. Christopher Clagett Holland stated that he agreed with staff's recommendation to relocate the cemetery, but only if the cemetery was relocated to St. John's Church and Cemetery. He said his sister, Mary Bowie Holland, who was unable to attend the meeting, also supported staff's recommendation. He then read a letter that he and his sister had written stating their support. (Exhibit 11).

Mr. Walter Dulany Addison, II said he supported staff's recommendation to relocate the cemetery, but emphasized that it should be relocated to St. John's Church and Cemetery.

Ms. Karen Egloff, said that the matter should be delayed or denied, because several descendants were excluded from the meetings with the applicant. She believes that this was done intentionally by the applicant because the descendants opposed staff's recommendation. Ms. Egloff said she was deeply concerned about the precedent that the HPC's decision would set for the treatment of historic cemeteries in the County if they were to grant approval of the HAWP. She also criticized the applicant for pretending to preserve the cemetery in place through DSP-07073-02, when

clearly the true intention was to relocate it at the eleventh hour. She concluded that the cemetery is still intact, and the ground is undisturbed. She expressly opposed the relocation of the cemetery.

Ms. Sarah Cavitt, president of the Riverbend Estates Neighborhood Association, said that she opposed the relocation of the cemetery. She said that the owner was aware of the cemetery when they purchased the property and could have planned accordingly. She also stated that the sudden decision to move the cemetery was not transparent, especially since the owner had received an approved DSP-07073-02 that included the preservation of the cemetery.

Ms. Bonnie Bick said that the community had been betrayed, because they believed the cemetery was to be preserved in place as was presented in the approved DSP-07073-02. She stated that the cemetery should be viewed as an asset to the project as it demonstrates the history of the area. She also stated that she did not believe the prior continuances requested by the applicant were to allow additional time for public comment, but were meant to prevent people from attending the meeting. She said that she was never notified when the meeting was rescheduled despite having asked Mr. Gingles directly to keep her informed once the meeting was finally scheduled.

Margaret Addison Shepard, and William Addison, Jr., had signed up to testify, but left the meeting before they were called on.

Mr. Shipp said that the MOA signed in 2000 expressed the possibility of relocating the cemetery; refuting the accusations that the applicant was trying to be misleading. He said that the applicant has tried to reach out to as many descendants as possible, and said they actively encouraged those that they could locate to inform others who may be interested in the case. He said that the applicant did not try to exclude people who disagreed with the relocation, as was evident by the meetings held by Mr. Jay Addison, which included many descendants who disagreed with relocation. He reiterated that the requests for continuances were to receive more public testimony, which has been effective. He stated that the cemetery has lost integrity, since the parcel around the cemetery has been cleared and graded by the previous owner.

Commissioner Callahan asked how much effort was put into contacting descendants. Mr. Andre Gingles, another representative of the applicant, said that they held several meetings with three different groups to try and reach as many individuals as possible. He said they then encouraged those groups to reach out to others to make them aware of the pending case. He said he has had his assistant focused on notifying people as they were added to the list of descendants.

Commissioner Branch Miles, asked if the applicant attempted to do genealogy research to locate additional descendants. Mr. Gingles said that they had not, but that they had searched relevant development cases as far back as 1998 for individuals that provided testimony. Commissioner Branch Miles said that the descendants included 11 generations, and that only going back to 1998 was inadequate.

Vice Chair Scott asked who attended the family meetings held by Mr. Jay Addison. Mr. Jay Addison said that he contacted all the members of his family that he was aware of, which included about 50 people. He said that he was unaware of the additional descendants that were excluded, and that it was not intentional. Commissioner Callahan asked if Mr. Jay Addison would be willing to hold additional meetings including the other descendants. Mr. Jay Addison indicated that he would be willing to do that.

Commissioner Muckle asked Mr. Shipp to describe the hardship being suffered by the applicant. Mr. Shipp said that the cemetery's location on the 16-acre parcel would make it difficult to construct the proposed hotel. He added that the proposed HAWP met other approval criteria found in Subtitle 29. Commissioner Muckle stated that there were examples of cemeteries being preserved in place despite a changing landscape and surrounding construction. She referenced a cemetery located in Annapolis located on a median strip. Mr. Shipp countered that a portion of the cemetery may have been relocated.

Mr. Gingles reiterated the statements of the 2000 MOA that discussed the possibility of moving the cemetery. Mr. Shipp said that the MOA has been honored, as the applicant has protected the cemetery in the interim. He added that the MOA reserved the right to discuss the cemetery's relocation with input by the HPC, MHT, and the descendants. Mr. Berger stated that the conditions of the MOA were met and are no longer relevant, and that it is not a controlling document. Commissioner Davidson said that the distrust from the community and descendants was due to the original DSP-07073-02 proposing to preserve the cemetery in place.

Commissioner Callahan asked if the decision could be delayed by the HPC. Mr. Bradley Farrar, said that the HPC could leave the record open for no more than seven days, but would then have to reconvene at the end of seven days to render a decision.

Mr. Shipp said that given the testimony received tonight that the applicant would like to delay the HPC's decision until the next HPC meeting on March 21, 2017. Mr. Berger said that Subtitle 29 requires that a request for a continuance be in writing. Mr. Shipp drafted a hand-written letter requesting a continuance (Exhibit 12).

2. HAWP 2016-037 St. Barnabas Episcopal Church and Cemetery/Re-interment (Historic Site 76A-004) – Applicant withdrew the application.

G. Environmental Setting Redetermination

Addison Cemetery (Historic Site 80-050) – This item is withdrawn until the resolution of HAWP 2016-036.

H. Update on Property of Concern

1. Admirathoria (Historic Site 80-005) – Chairman Thompson recused himself from the matter as he is employed by the contractor performing the work on the house. Chairman Thompson left the room. Mr. Bahrenburg said that they had signed a contract with Petro Design/Build Group to repair two windows and a side door. Ms. Bahrenburg elaborated that the two windows would be removed and rebuilt and then reinstalled. Commissioner Callahan asked if the attic windows would also be repaired. Ms. Bahrenburg said that they do intend to repair the windows in the future. Mr. Bahrenburg added that he would temporarily install plexiglass on the interior of the windows to help keep out moisture. He then said that they also plan to remove the front bushes and an encroaching tree, and to replace the porch. Vice Chair Scott asked if the gutters were functioning properly. Mr. Bahrenburg said that the gutters are working properly and were cleaned just last year.

Ms. Sarah Cavitt, president of the Riverbend Estates Neighborhood Association, said that they were pleased to see progress on the property, which has had a negative impact on the community.

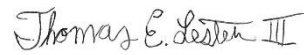
Chairman Thompson returned to the room.

I. Commission Staff Items

- 1. Staff Sign-Offs** – There were no questions regarding the Staff Sign-Offs.
- 2. Referrals Report** – There were no questions regarding the Referrals Report.
- 3. Correspondence Report** – There was no correspondence report.
- 4. Other/New Business** – Mr. Frederick Stachura invited the HPC and the public to attend a happy hour hosted by the Maryland Association of Historic District Commissions held on February 23, 2017 at the College Park Aviation Museum in College Park from 4:30 p.m. to 7:00 p.m.

MOTION: Commissioner Pruden moved to adjourn. The motion was seconded by Commissioner Schneider. The meeting adjourned at 11:46 p.m. The next HPC meeting will be held on March 21, 2017.

Respectfully submitted,



Thomas E. Lester, III
Senior Planner