

ARTICLE XV

HISTORIC PRESERVATION COMMISSION

Section 1. Purpose

The purpose of this article is to establish a Historic Preservation Commission of the Town of Washington Grove pursuant to the provisions of Section 8.01 of Article 66B of the Annotated Code of Maryland, to review and comment to the Planning Commission on plans of subdivision and certain applications for building permits; to review and comment to the Board of Zoning Appeals on certain applications for variances or special exceptions; to review and comment to the Planning Commission and the Town Council on Master Plans, Master Plan amendments, and applications for re-zoning of property; to review and comment to the Planning Commission and the Council regarding proposed developments or improvements outside of the corporate boundaries of the Town of Washington Grove which may have the effect of adversely impacting the Town's unique historical status; to serve as an the official archival body of the Town and a resource and clearinghouse for information regarding historic preservation for the benefit of Town, the Planning Commission, the Council and the public generally; and to advise the Council and Planning Commission on matters relating to maintenance, repair and improvements to property owned by the Town. All of the foregoing is intended to safeguard the heritage of the Town by encouraging the preservation of the historic nature of the Town and the elements of its cultural, social, economic and architectural history; to stabilize and improve property values; to foster civic duty; to strengthen the Town's economy; and to promote the preservation and appreciation of the historic nature of the Town as a whole and specific sites and structures within the Town for the education and welfare of residents of the Town, visitors thereto, and sojourners therein.

Section 2. Commission Created

Pursuant to Section 8.03 of Article 66B of the Annotated Code of Maryland, there is hereby created a Town of Washington Grove Historic Preservation Commission, in this Article XV hereinafter referred to as the "Commission".

Section 3. Composition; Appointment; Term of Members; Vacancies; Compensation

The Commission shall consist of five (5) members. Each member shall possess a demonstrated special interest, specific knowledge, or professional or academic training in such fields as history, architecture, architectural history, planning, archeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design or related disciplines. One member may also be a member of the Planning Commission. Each member shall be a resident of the Town of Washington Grove. Each member shall be appointed by the Mayor, subject to confirmation by the Council. Each member shall be appointed for a term of three (3) years. (Transitional provision: For the appointment of the first members of the Commission after adoption of this Article XV, one member shall be appointed for a one-year term, two members shall be appointed for a two-year term, and two members shall be appointed for a three-year term. As those initial terms expire, all subsequent appointments shall be for three years.) Members of the Commission are eligible for reappointment. Any vacancy on the Commission shall be

filled by the Mayor, subject to confirmation by the Council. The members of the Commission shall serve without compensation.

Section 4. Chairman

The Commission shall elect from among its members a Chairman. The term of the Chairman shall be one year, with eligibility for reelection. The Commission shall hold at least one regular meeting each month. It shall adopt rules for transaction of business and shall keep a record of its recommendations, transactions, findings and determinations, which record shall be a public record.

Section 5. Powers and Duties

(a) The Commission shall review all applications for building permits filed with the Town Planning Commission which would involve any change to a structure or site visible from any public way for historical accuracy, integrity, and compatibility with the neighborhood and improvements therein. The Commission may recommend to an applicant alternative designs, materials and sources for the same which may be more historically compatible. The Commission shall forward its recommendations regarding the same, if any, in an advisory capacity, to the Planning Commission for consideration by the Planning Commission within thirty (30) days from the Commission's receipt of the application from the Planning Commission.

(b) The Commission shall review any proposed plan of subdivision filed with the Town Planning Commission for historical accuracy, integrity, and compatibility with neighborhood and improvements therein. The Commission may recommend to an applicant, alternative designs for the same which may be more historically compatible. The Commission shall forward its recommendations regarding the same, if any, in an advisory capacity, to the Planning Commission for consideration by the Planning Commission within sixty (60) days from the Commission's receipt of the application from the Planning Commission.

(c) The Commission shall review any application for a zoning map amendment for historical accuracy, integrity, and compatibility with the neighborhood and improvements therein. The Commission may recommend to an applicant alternative zoning designations for the same which may be more historically compatible. The Commission shall forward its recommendations regarding the same, if any, in an advisory capacity, to the Planning Commission and the Council for consideration within sixty (60) days from the Commission's receipt of the application from the Planning Commission.

(d) The Commission shall review any proposed partial or comprehensive amendment to any Master Plan of the Town for historical accuracy, integrity, and compatibility with adjacent, confronting and nearby properties and improvements. The Commission shall forward its recommendations regarding the same, if any, in an advisory capacity, to the Planning Commission and the Council for consideration within sixty (60) days from the Commission's receipt of the proposed amendment from the Planning Commission.

(e) The Commission shall review any application for variance or special exception pending before the Board of Zoning Appeals which would involve any change to a structure or site visible from any public way for historical accuracy, integrity, and compatibility with the neighborhood and

improvements therein. The Commission may recommend to an applicant alternative designs for the same which may be more historically compatible. The Commission shall forward its recommendations regarding the same, if any, in an advisory capacity, to the Board of Zoning Appeals within thirty (30) days from the Commission's receipt of the application from the Board of Zoning Appeals.

(f) The Commission shall assist the citizens of the Town, the Mayor, Council and Planning Commission in the dissemination of information regarding the use and availability of sources of materials and designs in order to preserve the historic integrity of the Town and the availability of government and/or private programs aimed towards historic preservation, including, but not limited to, tax credits, preservation easements, and such similar preservation efforts by public and private entities.

(g) The Commission shall consider and review public or private actions, improvements or developments proposed outside of the municipal boundaries of the Town of Washington Grove which may nevertheless adversely impact preservation of the Town's unique historic status. The Commission shall, upon request, report its recommendations with regard to any such extra-Town proposal to the Mayor, Town Council or Planning Commission.

(h) The Commission may, with the prior consent and approval of the Council, entertain receipts of gifts by the Town advancing historic preservation within the Town; investigate and recommend grants advancing historic preservation within the Town; and investigate the purchase or receipt by the Town of historic preservation easements advancing historic preservation purposes within the Town.

(i) The Commission shall serve as the official archival body of the Town, shall collect, identify, catalogue and preserve documents and information regarding the history of the Town, shall make the same available for public inspection and appreciation, shall serve as an educational resource for the history of the Town, and shall encourage public appreciation of the same.

(j) The Commission shall advise the Planning Commission and Council regarding historical accuracy, integrity, and compatibility with the neighborhood and improvements therein relating to the maintenance, repair and improvement of property owned by the Town.

(k) The Commission may recommend to the Council amendments to the Town Code of Ordinances aimed at enhancing and preserving the historic heritage of the Town.

(l) The Commission shall adopt, and may from time to time amend, guidelines relating to the exterior appearance, including design and placement, of structures and improvements within the Town or within certain districts or portions of the Town relating to the construction of new structures and improvements and modification, reconstruction or demolition of existing structures or improvements, for the purposes of maintaining historic accuracy, integrity and compatibility with the neighborhood and improvements therein, to be applied in the Commission's review of proposed actions pursuant to this Section 5. The Commission shall publicize its adopted guidelines in order to encourage voluntary compliance therewith and promote public appreciation of the importance of historic preservation.

(m) As part of the guidelines adopted by the Commission pursuant to Paragraph 1. hereof, the Commission may establish, and may from time to time amend, guidelines exempting certain minor improvements, modifications, reconstruction or demolition from review and comment by the Commission prior to the issuance of a permit by the Planning Commission. Any such exemptions shall be based upon objective standards such as, by way of example and not by limitation, size and/or placement of accessory structures or fences, and/or percentage of improvement, reconstruction, construction or demolition relative to the size of the lot and/or the size of existing structures on such lot.

Section 6. Rules and Regulations; Right to Appear and Be Heard

The Commission shall adopt such rules and regulations as may be necessary for the proper transaction of its business. Any interested person or a person's representative is entitled to appear and, upon request, be heard at any public meeting conducted by the Commission.

Section 7. Duties of the Secretary and Other Town Officials in Connection with the Commission

The Secretary of the Town Council shall be considered Secretary of the Commission, and the Treasurer of the Town Council shall serve as Treasurer for the Commission. All records of proceedings before the Commission shall be maintained by the Clerk-Treasurer of the Town.