

October 11, 2023

Speaker Background of Cherilyn E. Widell

Good Afternoon. My name is Cherilyn Widell. I have lived at 105 North Water Street ,Unit #3 in Chestertown since 2005.

I am attaching a brief resume as an expert witness in historic preservation especially in the designation, preservation, and redevelopment of former federally and state owned historic properties and administration of a Maryland historic district ordinance such as Chapter 19, Historic District Commission articles I,II, and III of the Zoning Code of the Town of Chestertown.

I began my career as the staff to the Frederick, MD Historic District Commission and then as Executive Director of the Maryland Association of Historic District Commissions providing training and professional staff to commissions statewide including to the Chestertown Historic District Commission.

As the former gubernatorially appointed California State Historic Preservation Officer, Federal Historic Preservation Officer for the Presidio of San Francisco and Preservation Officer for the Fort Monroe Redevelopment Authority in Hampton, Va, I have also had decades of

experience reusing military buildings- reusing them for everything from lodging to restaurants to a wine cellar in a concrete coastal battery.

I was team leader of the January 2020 Report **Advancing the Preservation and Reuse of Md Historic Complexes**

<https://www.preservationmaryland.org/new-report-advancing-the-preservation-and-reuse-of-marylands-historic-complexes/>

mandated by the Maryland Senate in Senate Bill 741. This study describes how best to rehabilitate former state and federal owned historic properties in Maryland not unlike the Chestertown Armory. Finally, I know Chestertown well. I have been a consultant for the rehabilitation of 12 historic properties in the commercial business district, using the state and federal rehabilitation tax credits, not including my own historic properties within the Chestertown Historic District

Speaker Remarks

In the application before you , Washington College requests a demolition permit to demolish the 1931 Chestertown Armory on the grounds of economic hardship and for the greater public good.

Review of this Application falls under the jurisdiction of Chapter 19, Articles I, II and III of the Zoning Code of the Town of Chestertown.

The building is also individually listed on the National Register of Historic Places under the National Historic Preservation Act and it has been designated by the National Park Service and Maryland State Historic Preservation Officer (Maryland Historical Trust) at the state level of significance.

There is no question that the Town of Chestertown would GREATLY benefit from having a destination hotel. There is also no question that the old Chestertown Armory would make a great destination hotel.

But, there is NO reason presented to date why the Chestertown Armory could not be rehabilitated into a hotel without demolishing the historic armory building in its entirety. I strongly recommend that the Chestertown Historic District Commission deny the request of

Washington College for a demolition permit to demolish the Chestertown Armory based on grounds of economic hardship and for the greater public good for the following reasons.

Reasons for Denying the Application for complete demolition of the Historic Chestertown Armory

1. The historic Chestertown Armory is **NOT** an impediment to a major improvement program which will be of substantial benefit to the town. If, as claimed by the applicant, retention of the Armory would cause undue financial hardship to the owner, the financial hardship was caused by the willful neglect in the maintenance and repair of the historic Armory by the owner, Washington College , an action which is prohibited by the Mayor and Council of this town in Section 93-1 of the Chestertown, Md Code of Ordinances.

2. Washington College has not proven financial hardship. Historic district specific studies provide guidance how to show economic hardship of the applicant must be shown through a finding of fact.
 - A. Will denial of the application diminish the value of the subject property so as to leave substantially no value?

- B. Is sale or rental of the property impractical when compared to the cost of holding the property and not demolishing it?
- C. Would denial of the demolition damage the owner of the property unreasonably in comparison to the benefit conferred to the community?
- D. Have all financial incentives for preserving and reusing the historic Armory building been explored such as financial assistance in the form of grants from the National Trust for Historic Preservation, Maryland Heritage Areas Authority, Maryland Historical Trust, building code modifications, loans, state and federal rehabilitation tax credits for historic properties possible economic disincentives? (state tax credits are available to non-profits in Maryland including colleges in the form of a check from the state government for historic rehab project as was done for the rehabilitation of Shriner Hall, a dormitory at Hood College)

3) This application should be denied because the current condition of the historic building is the direct result of a lack of maintenance by Washington College. Making a claim for financial hardship for the cost of mitigating the current condition of the building is a direct result of the actions of the applicant. The actions of Washington College fall

squarely under Section 93-9 of Chapter 93 of the Chestertown Historic Area Zoning

In Section 93.3 the definition of Demolition is stated

as **DEMOLITION**. Any willful neglect in maintenance and repair of a structure, not including any appurtenances or environmental settings, that does not result from a financial inability to maintain and repair the structure and that threatens to result in any substantial deterioration of the exterior features of the structure.

The Town of Chestertown's Historic District Ordinance specific criteria for determining Demolition by Neglect are located in 93-9 of the Chestertown Code of Ordinances . The condition of the building cited in the application presented to the Historic District Commission by Washington College as the reason for approving demolition of the Armory appears to meet all of the criteria for measuring Demolition by Neglect which are :

- A) Deterioration of exterior walls
- B) Deterioration of the roof
- C) Deterioration of the chimneys
- D) Exterior plaster or mortar
- E) Ineffective waterproofing of exterior walls, roofs, and foundations including broken windows and doors
- F) The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition

Washington College has done NOTHING to maintain the building for the last 11 years. Washington College has allowed the Chestertown Amory to be subject to the application of Chestertown's Historic District Ordinance definition of DEMOLITION BY NEGLIGENCE in Section 93-9. The condition of the Armory as documented by the College itself appears to meet all of the criteria in the ordinance for demolition by neglect. Financial hardship has not prevented the college from maintaining the Chestertown Armory under their care.

Between 2012 and 2023, within a stone's throw of the old Armory, Washington College spent several million dollars constructing two new buildings rather than considering the reuse of the Armory building for education or a public use as it had promised.

Instead the photos and reports submitted with the Washington College application today document the lack of maintenance and repair of the structure which the College now wants to use as the reason to demolish the building , claiming financial hardship as the reason for the need for demolition.

As a non-profit institution , between 2012 and 2023, the College has not had to pay any real estate taxes on a prime piece of real estate right

at the edge of the beautiful Chester River. Most importantly of all, to date, we have received no evidence that the College spent any money maintaining the building during those eleven years. To date, the college has not presented any work orders, time sheets, invoices for the care of the historic building since 2012.

Sales documents between the Town and Washington College document at the time of the sale between the two institutions in 2012 that the building was in good condition. Under Section #3 of the Sales Agreement for the building between the Town and WC , the buyer received a copy of a due diligence inspection and report. That report, provided by the Town to the College contains valuable information and likely photographs about the condition of the building in 2012 and should be made available to the Chestertown Historic District Commission and the public for deliberations regarding this application.

Also ,in the sales agreement, in Section VII, the seller (the Town of Chestertown) received no notice and agreed that it had no knowledge of any uncorrected violations of law in the building. The purchaser (Washington College) conducted inspections of its own during the Inspection period during the sale of the property but provided no concerns about the condition of the building that prevented the sale of

the property from the town to the college not to go through. What happened between 2012 and now which has caused the building to be in such supposed poor condition that it now needs to be demolished? Even the engineering report concludes that **there are no structural problems with the building.**

According to Section 93.1(B) of the Chestertown Historic District Ordinance, the responsibility for preventing demolition extends beyond the HDC to “the Mayor and Council of the town by this chapter PROHIBIT the willful neglect in the maintenance and repair of any structure

So the demolition by neglect of our beloved Armory by Washington College , where our community assembled and trained the young men and women who went to war in this nation’s service, is not just a failure of Washington College but also the Mayor and Council of our town who under their own ordinance “prohibit the willful neglect in the maintenance and repair of any structure...”

There has been willful neglect in the maintenance and repair of the Chestertown Armory by Washington College. This application for demolition, based on financial hardship requests that the Washington College be granted a bye and benefit from years of neglect by the

institution of the building because it, claims, it does not have the financial resources to repair it.

Did the Town of Chestertown's Building Inspector ever inspect this building , which the entire town knew was left to deteriorate after 2012?

If so, what records of these visits exist? Did the Mayor or Council or staff of the commission ever inform the historic district commission that the building was not being maintained under Section 93-9 of the Chestertown ordinance?

Did the Mayor and Council ever notify Washington College that it was violating Section 93.1(B) of the Chestertown Code of Ordinances which "prohibits the willful neglect in the maintenance and repair of any structure..."

Washington College has allowed Demolition by Neglect of the Chestertown Armory. In fact , the condition of the historic building is a direct result of the poor stewardship of the building by the College. And now the college wants to claim financial hardship as the reason it needs to demolish the building.

Is there no economically viable use of the property unless the application for demolition is approved?

Does the structure pose an imminent threat to public health and safety?

What resources have been pursued by the college to maintain one of their own buildings?

Can the college please produce inspection and monitoring reports, invoices, bills cyclical maintenance records since 2012 which show that the College regularly inspected and maintained this historic property of state and local significance under their care?

3) The Chestertown Armory does not need to be demolished to become a boutique hotel.

The Chestertown Historic District Commission already approved a permit for the partial demolition of the Chestertown Armory while

retaining the original building core in a proposal to the HDC on September 5, 2012.

The historic Armory Building could be transformed into a boutique hotel without being entirely demolished.

Further , the Chestertown Historic District Commission has been given information about other historic armories such as The Bozeman Armory Hotel which have been reused as a hotel.

The Hersha Hotel company has much experience rehabilitating historic properties as well as new construction.

4.. Under Section 93-7 of Historic area Zoning, “ Failure to supply the Commission with a complete and specific description of the intended changes, including , but not limited to architectural renderings, materials lists and site plans.... May be grounds for denial of the application.”

There are no such specifics provided in this lengthy application before the Chestertown Historic District Commission for the demolition of the Chestertown Armory. The application is for demolition of a beloved building with the promise of the developer to bring back a plan after approval of the demolition. No application for demolition of an historic building before an Historic District Commission should ever be approved without knowing what will replace it.

Finally, the Chestertown Armory is a building which meets the Chestertown Historic District Ordinance as a structure of unusual importance to the state SINCE IT IS LISTED BY THE NATIONAL PARK SERVICE AS A BUILDING OF STATE SIGNIFICANCE FOR MARYLAND. According to Section 93.1(B) of the Chestertown Historic District Ordinance, the responsibility for preventing demolition extends beyond the HDC to “the Mayor and Council of the town by this chapter PROHIBIT the willful neglect in the maintenance and repair of any structure

In addition, there are special responsibilities in the Chestertown Historic District ordinance in Section 93-13 for the Preservation of Structures of unusual importance to the County, or municipal corporation, state or nation.

Why has Washington College done NOTHING with the building, not even maintain it for 11 years when the Chestertown Armory , a building which meets the Chestertown Historic District Ordinance as a structure of unusual importance to the state SINCE IT IS LISTED BY THE NATIONAL PARK SERVICE AS A BUILDING OF STATE SIGNIFICANCE FOR MARYLAND.

Washington College has willfully allowed the Chestertown Amory to be subject to the application of Chestertown's Historic District Ordinance definition of DEMOLITION BY NEGLECT in Section 93-9.

The Chestertown Historic District Commission and Mayor and Council should not approve this application for demolition. It should instead find that Washington College has allowed demolition of neglect of this historic property of Statewide significance as the owner of the Chestertown Armory. This is an action which is most definitely not an action for the greater public good. With the information about reuse of the Bozeman, Montana Armory conversion into a Boutique Hotel in hand as well as countless military building conversions, this application should be denied and alternatives which bring about the preservation and reuse of the building should be pursued.

Thank you.