

Anthony S. Moscato, Jr.  
Chair, Frederick Preservation Trust  
9 East South Street  
Frederick, MD 21701

19 April 2013

Jim Mackintosh  
Owner, Mackintosh, Inc.  
262 West Patrick Street  
Frederick, MD 21701

Dear Mr. Mackintosh,

Based on conversations with Joe Adkins, Deputy Director for the City of Frederick's Planning Department, it is our understanding that your office represents the Randall family as the owner of the Frederick News-Post (FNP) site located at the intersection of East Patrick and Carroll Streets. It is in your representative capacity that we would like to draw your attention to the Birely Tannery building located on the FNP site, as it is a significant historic resource in the City of Frederick that contributes to the Frederick Historic District.

It is readily noticeable that the tannery building is suffering from deferred maintenance that could result in demolition by neglect: vines are growing on the building and appear to be causing holes in the roof, a tree is growing next to the building's foundation, additional vegetation jeopardizes the integrity of the foundation, and the chimney needs to be repointed. Given the Randall family's demonstrated interest in Frederick history, the neglect of this significant historic resource is surprising.

In its current state, the tannery building would meet the City of Frederick's Blighted and Vacant Property Ad-Hoc Committee's definitions of a "vacant" and a "blighted" building:

**VACANT BUILDING:** A building, structure, or portion thereof in which there is no habitual presence of persons who have a legal right to be on the premises, or in which all lawful business or construction activity or residential occupancy has substantially ceased, or which is substantially devoid of contents. In the case of mixed-use buildings, a separate tenanted portion of the building which meets these criteria shall also be deemed vacant.

**BLIGHTED BUILDING:** Any building, structure, or portion thereof along with the lot on which it exists, shall be deemed blighted if one or more of the following conditions exists:

...

B. It is not being maintained, is dilapidated, and is an attractive nuisance as documented by Code Enforcement or Building Inspector. The following factors may be considered:

- Unsecured – public can gain entry without the consent of the owner and is therefore an attractive nuisance to children, vagrants, criminals, or other unauthorized persons;
- missing or boarded windows or doors; collapsing or missing walls, roof or floors;
- seriously damaged or missing siding;
- structurally faulty foundation;
- garbage, trash or abandoned/unregistered cars on the premises;
- overgrown diseased, dead, or decayed trees, weeds, or vegetation;
- un-maintained swimming pool, pond, or other body of water;
- graffiti;
- fire damage;
- harbors or is likely to harbor rats, pigeons, vermin, and other animal nuisances.

C. It is habitually vacant for long periods unrelated to the normal commercial vacancy cycle.

<http://www.cityoffrederick.com/DocumentCenter/Home/View/1505>

Our research has identified the Birely Tannery as a very important historic resource in Frederick County that should be respected, protected, and rehabilitated. It is the last remaining tannery building standing along Carroll Creek; all of the other tannery buildings in the City of Frederick have been demolished. As such, it is the only representation of the City's long, industrial tannery heritage that developed along the creek beginning in the late eighteenth century. It would be a great loss to Frederick's history if this unique structure, the last tie to an industry that played a significant role in Frederick County's rich agricultural and industrial identity and early development, becomes so deteriorated that it must be demolished. Accordingly, we encourage the Randall family to serve as a good steward of this historic property, and as a first step, remove the vines, cut down the tree and vegetation affecting the foundation and roof, repair any roof damage, and repoint the chimney. We also would encourage "mothballing" the building, a method recommended by preservationists to protect vacant historic properties until a new use is found (See <http://www.nps.gov/hps/tps/briefs/brief31.htm>). With the vegetation removed, immediate stabilization requirements could be identified, and long-term planning for the building's rehabilitation could begin.

We further encourage the Randall family to consider viable options, including, but not limited to, adaptive reuse of the tannery building by selling it to a new owner or identifying a tenant who would utilize the building's unique location and significant history to further economic development along Carroll Creek and

historic preservation in the City of Frederick. It is also likely that rehabilitation of this property would be eligible for historic preservation tax credits at the City (See <http://www.cityoffrederick.com/DocumentCenter/Home/View/1577>), State (See <http://mht.maryland.gov/taxcredits.html>), and Federal levels (See <http://www.nps.gov/tps/tax-incentives.htm>).

We would like you to share our research concerning the tannery building with the Randall family and to arrange a meeting to discuss the rehabilitation potential of the building. The tannery building could be one of the most striking historic rehabilitation projects to occur in the City of Frederick. With its visibility on Carroll Creek, visitors would know how serious the Frederick community is about saving its historic buildings and how well the FNP represents that ethic.

The Frederick Preservation Trust is vitally interested in the fate of the tannery building, and its Board can be considered a resource as the Randall family moves forward with stabilization and eventual rehabilitation. If interested, please contact me to arrange a meeting with our Board. Alternatively, we would be happy to provide the contact information of people who can help with the stabilization and rehabilitation of the building and the historic preservation tax credits. I may be reached at: [contact@frederickpreservationtrust.com](mailto:contact@frederickpreservationtrust.com).

Sincerely,

Anthony S. Moscato Jr.  
Chair, Frederick Preservation Trust

[www.frederickpreservationtrust.com](http://www.frederickpreservationtrust.com)