



**LEESBURG BOARD OF ARCHITECTURAL REVIEW
BUSINESS MEETING MINUTES**

**Monday, 18 May, 2015
Town Hall, 25 West Market Street
Council Chamber**

MEMBERS PRESENT: Chairman Edward Kiley, Parliamentarian Dale Goodson (arrived 7:05pm), Richard Koochagian, Mark Malloy, Teresa Minchew, Dieter Meyer, Planning Commission Representative Lyndsay Welsh Chamblin, and Town Council Representative Suzanne Fox

MEMBERS ABSENT: Paul Reimers

STAFF: Assistant Town Manager Scott Parker, Planning & Zoning Director Susan Berry Hill, Deputy Town Attorney Shelby Caputo, Attorney Liz Whiting, Preservation Planner Tom Scofield, Senior Engineer Anne Geiger, and Planning & Zoning Assistant Debi Parry

Call to Order and Roll Call

Chairman Kiley called the meeting to order at 7:00pm, noted attendance and determined that a quorum was present.

Adoption of the Meeting Agenda

Chairman Kiley noted Cases TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117 and TLHP-2014-0118 would be moved to the end of the agenda.

On a motion by Mr. Goodson, seconded by Ms. Minchew, the amended agenda was adopted by a 6-0-1 vote (Reimers absent).

Approval of Meeting Minutes

a. February 18, 2015 BAR Meeting

On a motion by Ms. Minchew, seconded by Mr. Malloy, the meeting minutes were adopted by a 6-0-1 vote (Reimers absent)

BAR Member Disclosures:

Ms. Minchew disclosed a conversation with Steve Price, Al Hansen and Peter Burnett regarding applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117 and TLHP-2014-0118. She stated the conversation was simply to provide background information on the process and will not impact her ability to act on these cases.

Chairman Kiley disclosed a conversation with Steve Price regarding applications TLHP-2014-0115, TLHP-2014-0116, TLHP-2014-0117 and TLHP-2014-0118. He stated the discussion was regarding the current status of these applications and will not impact his ability to act on these cases.

Public Comment and Presentations

None

Consent Agenda

- a. TLHP-2014-0122, Ten locations in King Street right-of-way**
Project: Install new decorative grates on basement access doors in sidewalk
- b. TLHP-2015-0030, 203 Liberty Street SW**
Project: Install skylights or dormer
- c. TLHP-2015-0032, 603 Potomac Station Drive (Greene Turtle)**
Project: Construct outdoor bar

Mr. Koochagian noted the wrong historic survey report was provided for case TLHP-2015-0030 and asked that this be corrected for the record.

Ms. Minchew asked that staff read the clarification points which were emailed earlier regarding case TLHP-2014-0122.

Chairman Kiley asked if there were any public comments regarding these cases.

There was no public comment.

Mr. Meyer moved to approve the consent agenda consisting of cases TLHP-2014-0122, TLHP-2015-0030 and TLHP-2015-0032 in accordance with all staff conditions and the supplemental discussion items provided.

Mr. Scofield stated the proposed images for the street grates for case TLHP-2014-0122 will be set at the proportions outlined in the agenda package and will all be placed in the top corner of the doors and for those locations with two doors, the image will be placed only on one door.

The motion was seconded by Ms. Minchew and approved by a 6-0-1 vote (Reimers absent).

Petitioners

There were no petitioners.

Continued & Deferred Cases in the H-1 Overlay District

- a. **TLHP-2014-0115, 112 Edwards Ferry Road NE**
Project: Demolition of primary structure as part of the Court House Expansion Project
 - b. **TLHP-2014-0116, 110 Edwards Ferry Road NE**
Project: Demolition of primary structure as part of the Court House Expansion Project
 - c. **TLHP-2014-0117, 108 Edwards Ferry road NE**
Project: Demolition of primary structure as part of the Court House Expansion Project
 - d. **TLHP-2014-0118, 106 Edwards Ferry Road NE**
Project: Demolition of primary structure as part of the Court House Expansion Project
- Chairman Kiley noted the public hearings for these cases remain open.

Mr. Scofield stated the proposal before the Board is to demolish in total the four contributing historic buildings at 106, 108, 110 and 112 Edwards Ferry Road NE, which are designated as primary, contributing resources in the Leesburg National Register Historic District and locally designated Old & Historic District, to make way for the new district courthouse facility. He stated the package provided includes a Statement of Findings ballot for findings common to every application, four Statement of Findings ballots for findings specific to each application, and four final staff reports for each application. He highlighted the location of the site at the corner of Edwards Ferry Road NE and Church Street NE as well as the location of each of the structures proposed for demolition. Further, he outlined staff findings in the following categories:

Significance & Integrity –

- Important to keep County court system in downtown Leesburg
- Important to maintain integrity and character of Old & Historic District as directed by Zoning Ordinance regulations, O&HD Design Guidelines, and the Leesburg Town Plan
- All four buildings are designated as “historic” in the architectural survey
- All four buildings retain integrity of location, design, setting, materials, workmanship, feeling, and association, therefore, should retain “contributing” status in the historic districts. The applicant’s cultural resource consultant has reached the same conclusions.
- The applicant does not contest or dispute the historic and architectural significance for the four contributing, historic resources.

Condition & Reuse Potential –

- Loudoun County (owner) invested in the upgrade of the four contributing historic buildings for adaptive use as office space when purchased in 1980
- The owner has maintained the property in good condition and has followed Certificate of Appropriateness procedures for exterior alterations
- Two of the four contributing historic buildings are currently occupied and used as office space by the Owner
- The applicant states that all four contributing historic buildings are structurally sound and the applicant has not presented evidence or testimony that the four buildings warrant demolition because of their deteriorated condition
- No study to identify possible rehabilitation scenarios for reuse or potential occupants has been prepared.
- Town staff analysis has revealed that certain rear sections of each of the four contributing, historic buildings are not historic in construction or have been altered such that historic integrity has been substantially compromised.

New Construction –

- The Concept Plan associated with the previous zoning approval for the same site approved in 1998 retained the four contributing historic buildings in place
- The estimated size of the new courts facility at the time was 60,000 sq. ft., 35% smaller than the current programmed space of 92,000 sq. ft.
- The new District Courthouse is proposed with a setback similar to the other historic court buildings located on the block to the west
- It remains arguable and feasible that support infrastructure and issues such as stormwater facilities, utility connections, fire safety and exterior perimeter security can be provided and addressed for the New District Courthouse in a manner that avoids total demolition of the four contributing, historic buildings

Relocation Study –

- As per the guidelines, relocation of any of the four contributing historic buildings should only be considered after all other alternatives are exhausted.
- Other alternatives were explored by the applicant but ultimately rejected by the Loudoun County Board of Supervisors
- The applicant has provided information, evidence and testimony that 112 Edwards Ferry Road NE is not a good candidate for relocation
- Two parties have expressed interest in relocation of one or more of the four buildings

Staff Findings –

- A selective, partial demolition of the properties will have no negative impact on the size, scale, massing and pedestrian-oriented nature of the Edwards Ferry Road streetscape and the surrounding historic district neighborhoods, and will minimally impact the integrity of the contributing historic resource, while helping to provide a sense of scale and character between the proposed large institutional building and the smaller scale neighborhoods it will adjoin

Staff Conclusion –

- The information, arguments, evidence and testimony provided and presented by the applicant does not adequately address or support the requirements, procedures, the criteria for demolition outlined in Articles 3 and 7 of the Zoning Ordinance and the Old & Historic Design Guidelines. In addition, reasonable alternatives to total demolition have been discussed with the applicant and appear to be feasible.
- Although total demolition of the four contributing, historic buildings remains the stated preference of the Loudoun County Board of Supervisors in order to make way for the new District Courthouse, it is Town staff's position that the Board of Architectural Review should not grant approval for the total demolition solely on the grounds of preference and convenience.

112 Edwards Ferry Road NE

Mr. Scofield recommended approval in modified form of the Certificate of Appropriateness application TLHP-2014-0115 subject to the following conditions:

1. As recommended in the final Staff Report, dated May 18, 2015, authorization and approval is granted for demolition of the area indicated in red on the diagram identified as Exhibit A attached to the final Staff Report for 112 Edwards Ferry Road NE; no other portion of the building is included in this approval. This selective, partial demolition will have no negative impact on the size, scale, massing and pedestrian-oriented nature of the Edwards Ferry Road streetscape and the surrounding historic district neighborhoods, and will minimally impact the integrity of the contributing historic resource, helping to provide a sense of scale and character between the proposed large institutional building and the smaller scale neighborhoods it will adjoin.
2. As provided in the Procedures and Regulations for Demolition and Relocation of Existing Structures as outlined in the Old & Historic District Design Guidelines, the applicant must conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource's Guidelines for Conducting Cultural Resource Surveys in Virginia (1999, revised 2000); the applicant must conduct a Phase 1 archaeological study to determine if the property yields information important in Leesburg's history; and the applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once portions of the building have been demolished;
3. The demolition may occur only after receipt by the applicant of both a building permit for new construction of the New District Courthouse and after receipt of final approval for the submitted rezoning TLZM-2015-0002;
4. For the interface area between the Red and Green Area as identified in Exhibit A, an exploratory investigation shall be performed by the applicant to identify and determine the historic materials to be saved and the non-historic materials to be removed with review and approval by the Preservation Planner;
5. This approval shall not be construed as authorization, approval, or endorsement of any version or alternative concept for the exterior appearance of the new District Courthouse facility as presented to date by the applicant;
6. This approval in modified form is based on the General Statement of Findings common to 106, 108, 110, 112 Edwards Ferry Road NE and the Statement of Findings specific to 112 Edwards Ferry Road NE.

Mr. Scofield provided an image, based on the 1930 Sanborn Map image to show the intact historic resource, an addition included in the 1930 footprint which has been substantially altered at the rear and a non-historic 2-story porch. He stated this designation continues on the second floor of the structure as well. Further, he provided photographs of the building elevations to show where the suggested removals would occur and how the new footprint would compare to the footprint for the proposed District Courthouse.

110 Edwards Ferry Road NE

Mr. Scofield recommended approval in modified form for the Certificate of Appropriateness application TLHP-2014-0116 subject to the following conditions:

1. As recommended in the final Staff Report, dated May 18, 2015, authorization and approval is granted for demolition of the area indicated in red on the diagram identified as Exhibit A attached to the final Staff Report for 110 Edwards Ferry Road NE; no other portion of the building is included in this approval. This selective, partial demolition will have no negative impact on the size, scale, massing and pedestrian-oriented nature of the Edwards Ferry Road streetscape and the surrounding historic district neighborhoods, and will minimally impact the integrity of the contributing historic resource, helping to provide a sense of scale and character between the proposed large institutional building and the smaller scale neighborhoods it will adjoin.
2. As provided in the Procedures and Regulations for Demolition and Relocation of Existing Structures as outlined in the Old & Historic District Design Guidelines, the applicant must conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource's Guidelines for Conducting Cultural Resource Surveys in Virginia (1999, revised 2000); the applicant must conduct a Phase 1 archaeological study to

- determine if the property yields information important in Leesburg's history; and the applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once portions of the building have been demolished;
3. The demolition may occur only after receipt by the applicant of both a building permit for new construction of the New District Courthouse and after receipt of final approval for the submitted rezoning TLZM-2015-0002;
 4. For the interface area between the Red and Green Area as identified in Exhibit A, an exploratory investigation shall be performed by the applicant to identify and determine the historic materials to be saved and the non-historic materials to be removed with review and approval by the Preservation Planner;
 5. This approval shall not be construed as authorization, approval, or endorsement of any version or alternative concept for the exterior appearance of the new District Courthouse facility as presented to date by the applicant;
 6. This approval in modified form is based on the General Statement of Findings common to 106, 108, 110, 112 Edwards Ferry Road NE and the Statement of Findings specific to 110 Edwards Ferry Road NE.

Mr. Scofield stated the 1930 Sanborn Map image shows the pre-1840's story-and-a-half building and the 1910 addition including the porch. He stated in looking at the current footprint, many alterations have been made to make usable office space within the building on both the first and second floor that it appears there is very little historic integrity on the rear portion of the building. He provided a diagram to show where the break would occur for removal of the rear portion. Further, he provided photographs of the building elevations to show where the suggested removals would occur and how the new footprint would compare to the footprint for the proposed District Courthouse.

108 Edwards Ferry Road NE

Mr. Scofield recommended approval in modified form for the Certificate of Appropriateness application TLHP-2014-0117 subject to the following conditions:

1. As recommended in the final Staff Report, dated May 18, 2015, authorization and approval is granted for demolition of the area indicated in red on the diagram identified as Exhibit A attached to the final Staff Report for 108 Edwards Ferry Road NE; no other portion of the building is included in this approval. This selective, partial demolition will have no negative impact on the size, scale, massing and pedestrian-oriented nature of the Edwards Ferry Road streetscape and the surrounding historic district neighborhoods, and will minimally impact the integrity of the contributing historic resource, helping to provide a sense of scale and character between the proposed large institutional building and the smaller scale neighborhoods it will adjoin.
2. As provided in the Procedures and Regulations for Demolition and Relocation of Existing Structures as outlined in the Old & Historic District Design Guidelines, the applicant must conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource's Guidelines for Conducting Cultural Resource Surveys in Virginia (1999, revised 2000); the applicant must conduct a Phase 1 archaeological study to determine if the property yields information important in Leesburg's history; and the applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once portions of the building have been demolished;
3. The demolition may occur only after receipt by the applicant of both a building permit for new construction of the New District Courthouse and after receipt of final approval for the submitted rezoning TLZM-2015-0002;
4. For the interface area between the Red and Green Area as identified in Exhibit A, an exploratory investigation shall be performed by the applicant to identify and determine the historic materials to be saved and the non-historic materials to be removed with review and approval by the Preservation Planner;
5. This approval shall not be construed as authorization, approval, or endorsement of any version or alternative concept for the exterior appearance of the new District Courthouse facility as presented to date by the applicant;

6. This approval in modified form is based on the General Statement of Findings common to 106, 108, 110, 112 Edwards Ferry Road NE and the Statement of Findings specific to 108 Edwards Ferry Road NE.

Mr. Scofield stated the 1930 Sanborn Map image shows an image up on the street edge, which is not the current condition today. He stated there is also a portion which appears to have been infilled at an unknown date. He stated the rear single story porch is not historic in nature or condition. He stated the front porch appears to be historic when looking at it; however, it is obvious in the 1930 Sanborn Map that the porch did not exist at that time. He stated the porch could've been added between 1930 and 1950, which is the period of significance for the Old and Historic District and without additional research he could not provide an estimate time period for construction. He stated a second floor was added to the building after the 1930 Sanborn Map which shows a one-and-a-half story building and provided a diagram to show where the break would occur for removal of the rear portion of the building. Further, he provided photographs of the building elevations to show where the suggested removals would occur and how the new footprint would compare to the footprint for the proposed District Courthouse.

106 Edwards Ferry Road NE

Mr. Scofield recommended approval in modified form for the Certificate of Appropriateness application TLHP-2014-0118 subject to the following conditions:

1. As recommended in the final Staff Report, dated May 18, 2015, authorization and approval is granted for demolition of the area indicated in red on the diagram identified as Exhibit A attached to the final Staff Report for 106 Edwards Ferry Road NE; no other portion of the building is included in this approval. This selective, partial demolition will have no negative impact on the size, scale, massing and pedestrian-oriented nature of the Edwards Ferry Road streetscape and the surrounding historic district neighborhoods, and will minimally impact the integrity of the contributing historic resource, helping to provide a sense of scale and character between the proposed large institutional building and the smaller scale neighborhoods it will adjoin.
2. As provided in the Procedures and Regulations for Demolition and Relocation of Existing Structures as outlined in the Old & Historic District Design Guidelines, the applicant must conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource's Guidelines for Conducting Cultural Resource Surveys in Virginia (1999, revised 2000); the applicant must conduct a Phase 1 archaeological study to determine if the property yields information important in Leesburg's history; and the applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once portions of the building have been demolished;
3. The demolition may occur only after receipt by the applicant of both a building permit for new construction of the New District Courthouse and after receipt of final approval for the submitted rezoning TLZM-2015-0002;
4. For the interface area between the Red and Green Area as identified in Exhibit A, an exploratory investigation shall be performed by the applicant to identify and determine the historic materials to be saved and the non-historic materials to be removed with review and approval by the Preservation Planner;
5. This approval shall not be construed as authorization, approval, or endorsement of any version or alternative concept for the exterior appearance of the new District Courthouse facility as presented to date by the applicant;
6. This approval in modified form is based on the General Statement of Findings common to 106, 108, 110, 112 Edwards Ferry Road NE and the Statement of Findings specific to 106 Edwards Ferry Road NE.

Mr. Scofield stated the 1930 Sanborn Map image shows the historic footprint of the structure. He stated there are two additions which appear to have been substantially altered or removed. He stated the existing porch shown in 1930 has been substantially expanded into the porch seen today also the small rear addition shown seems to have been consumed into the much larger rear addition currently seen. He provided a diagram to show where the break would occur for removal of the rear portion. Further, he provided photographs of the building elevations to show where

the suggested removals would occur and how the new footprint would compare to the footprint for the proposed District Courthouse.

Mr. Scofield stated, according to staff analysis, removal of rear additions or portions of the building which have substantially lost historic integrity creates a zone behind the four buildings that would allow for construction, utility installation, create a clear zone for security perimeter and creates a nice elevation. He stated at the same time, the streetscape along Edwards Ferry Road remains intact from an appearance perspective. He reminded the Board that a decision denial would automatically activate the demolition delay that requires the property owner to sell the property in order to preserve the buildings. Further, he stated in the event that the Board wishes to retain the construction of this new courts facility downtown, it is important to understand that a denial would send the message that this property should be sold for preservation as opposed to courts construction.

Peter Hargreaves, Loudoun County District Courthouse Project Manager, had no additional comments.

Chairman Kiley asked if there was any member of the public present who would like to address the Board regarding these applications.

There were no petitioners.

Council Member Fox indicated Leesburg District Supervisor Ken Reid was in attendance earlier in the meeting; however, he had to leave and asked that she speak for him. She stated he asks the Board to consider a new development, in his words, "Please remind members of the Board that two folks have bid to remove the four houses and save them." She stated he indicates there have been bids placed for relocation; there is one bidder who wants two of them and another who wants four of them. She stated Supervisor Reid further stated if there were any further questions, perhaps County Administrator Tim Hemstreet could shed some light on this new development.

Chairman Kiley asked if Mr. Hemstreet had any comments.

Mr. Hemstreet indicated he had no comment.

Chairman Kiley asked Board members to keep in mind that action needs to be taken on the applications prior to midnight, new developments notwithstanding. He stated he is going to assume that the County has no interest in further extending today's date.

Mr. Hargreaves stated, no sir.

Mr. Meyer stated there were three letters submitted which should be read into the record.

Chairman Kiley asked if they need to be read into the record or just included in the record.

Ms. Minchew stated she would like them to be read into the record as most people assume they will be read into the record.

Mr. Meyer read a letter from K.D. Kidder as follows:

"Hello all, you must be having fun. Just sending my 2 cents on the demolition of the 4 historic houses on Edwards Ferry Road. Why demolish them when you invested in restoring them not so long ago? Why not fit them into the design for the front of the courthouse building? Make them a part of the new building. Personally I wonder what we would really loose if the courthouse moved out of town. People going to court usually do not feel like shopping afterwards or do they even go to lunch downtown? We could have a School or an Art Center or use those buildings and bring a lot more business into downtown. Or revive the old Inn. Just ideas. Thanks for all you do."

Ms. Minchew read a letter from Barbara Justice as follows:

"Dear BAR Members, I live in downtown Leesburg and love the old buildings there. Please do your best to keep our history and not allow the demolition of the houses on Edwards Ferry Road. I know it's a problem when the County is threatening to move the facilities out of Leesburg. Maybe the County can come up with a compromise to use those old houses rather than move the court system. Possibly, Leesburg could put the money allocated for the sidewalks and parking spot removal on King Street toward keeping those old houses and not change King Street. After all, I believe Leesburg's draw for tourists and shoppers is our ability to keep our original (historical) look. Thank you so much for all the hard decisions you have to make and for keeping Leesburg as original as possible in this modern age. It doesn't go unnoticed."

Mr. Meyer read the following letter from Nancy Morgan as follows:

"I want to express my appreciation to Leesburg's Architectural Board of Review for giving serious consideration to preserving four 19th century homes on Edwards Ferry Road in the heart of our historic city. These homes are located at the nucleus of historic Leesburg, are prominent in their visibility and help define Leesburg's distinctive historic character.

As a newcomer to Leesburg I chose to acquire an historic property, realizing the value to the community and the importance of preserving evidence of the charm and significance of our architectural past and how it influences our present and future. To dismiss these structures as simply in the way of progress is to ignore a key economic draw and our responsibility as stewards of these increasingly rare properties.

I hope the solution reached builds on Leesburg's reputation as a cultural and historic designation, allowing residents and visitors to continue to bring downtown Leesburg to life. "

Chairman Kiley stated if there is no further public testimony, we'll move to questions from the BAR.

Mr. Goodson stated he had no additional questions at this point.

Mr. Koochagian stated he has lots of questions; however, he knows there are not any good answers.

Mr. Meyer asked the current estimated cost to build the courts complex.

Mr. Hargreaves stated the cost right now is approximately \$57 million. He stated for every month we delay we incur about \$300,000 in inflation costs.

Mr. Meyer asked staff how large the amount of space would be between the backs of the buildings, per staff's diagram, and the face of the courts building.

Mr. Scofield stated it is similar to the distance of 114 Edwards Ferry Road NE, the off-site property. He stated if he recalls correctly the distance is about 25 feet.

Mr. Hargreaves stated the distance is approximately 19 feet.

Ms. Shade stated the distances are going to vary and she cautioned that the line shown on the diagram may not be exactly the edge of an addition. She stated destructive demolition is needed to determine where the line is. She stated Mr. Scofield did his best to approximate where the line is, but she cautioned that it might not be written in gold because of the actual physical conditions of the buildings when you start to take things down. She stated distances are going to vary.

Mr. Hargreaves stated the closest one is approximately 19 feet and it goes from there.

Ms. Minchew stated she only has procedural questions on what to do next and we can wait to make sure we do not have any other questions if that is the desire of the Chairman. She stated she is wondering she is just wondering what the procedure will be.

Mr. Malloy had no questions.

Ms. Welsh Chamblin had no questions.

Council Member Fox stated what would be the result in regards to the historic integrity of the structures by removing the rear portions and enclosing them.

Mr. Scofield stated since it is the rear of the building, demolition would not begin until some exploratory demolition occurs. He stated there may be conditions where the original front or rear of a building is uncovered.

Chairman Kiley stated he has one question that hasn't come up in a while. He asked what was determined about the serpentine wall.

Mr. Scofield and Mr. Hargreaves both stated it is not historic.

Chairman Kiley stated if there are no further questions, then the public hearing on these four items is now closed and we'll move on to BAR discussion.

The public hearing was closed at 9:38pm.

Mr. Malloy stated he appreciates Mr. Scofield's extreme efforts to look at alternatives to avoid demolition. He stated he has been part of the main guard pushing back as much as possible with the design team on a number of technical issues in the goal of finding a path towards preservation, finding some common ground. He stated to read the newspaper articles and understand the last few meetings we've had its apparent that there is a very strong position being taken by the Board of Supervisors and that the BAR, in a sense, is being asked to decide between the lesser of two evils. He stated looking at a possibility of finding a path of acceptance of the demolition to ensure looking at the greater good, in the Leesburg Old and Historic District Guidelines it says that they are, "to ensure that the historic architectural character individual buildings and the Historic District as a whole is retained as change occurs over time. Further, he read into the record a proposed motion:

"There are two preservation goals that should be considered with the courts expansion proposal. First, the County Courthouse is, and always has been, a defining historic feature in Leesburg's downtown. Over the past several years, discussions between the Town Council and the County about the need for the court system expansion has yielded consensus among both governing bodies to continue this historic precedent by keeping the courts system in Leesburg's downtown and developing an expansion plan that respects this tradition. The second preservation goal is to plan for this expansion while assuring that the historic integrity of the historic district will be maintained.

The County courthouse design team has consistently and categorically indicated in it's presentations to the BAR over the last several months that it is necessary to demolish all four of the subject houses in order to efficiently and economically pursue the courthouse expansion in a timely fashion, the alternative being the relocation of the courts to a site out of town.

While it is desirable to preserve as much of the downtown historic architectural inventory, history and context as possible, a major contributing component to the Town's historic context and economy are the county courts. The consequences of relocating the courts out of town would significantly erode the life and vitality of the town's business's and residential base, and would permanently impact the economic viability required to maintain the quality of the Historic District. The Leesburg Old and Historic District Design Guidelines were created... "to ensure that the historic architectural character of individual buildings--and the historic district as a whole--is

retained as change occurs over time;” . The choice then becomes whether to preserve four historic houses or to support the expansion of the court system within the town and thereby preserve the historic district as a whole, for the foreseeable future.

Therefore, for the greater good in maintaining the Leesburg downtown historic district integrity, and based on the specific facts indicated in the Statement of Findings and the application submitted by Dewberry, Inc. date stamped November 17, 2014 along with the associated evidence and testimony provided thereafter, I move that Certificate of Appropriateness for:

- a. 112 Edwards Ferry Road NE = TLHP-2014-0115;*
- b. 110 Edwards Ferry Road NE = TLHP-2014-0116;*
- c. 108 Edwards Ferry Road NE = TLHP-2014-0117; and*
- d. 106 Edwards Ferry Road NE = TLHP-2014-0118*

be APPROVED, as submitted, with the understanding that the demolition may occur only after receipt of a building permit for new construction. “

Mr. Malloy stated his sense is that we are faced with a decision as to one or the other.

Mr. Hargreaves stated what was just stated about the design team is blatantly untrue. He stated he does not understand where that comment comes from after the last three months of the work that, at least in his perspective, did present alternatives. He stated he has been at several meetings and has spoken with staff such as, we'd like to salvage 112, we'd like to salvage 110 and trying to strike a compromise. He stated that is not saying they all go or we're going to run.

Mr. Malloy stated ok, that's fair.

Ms. Minchew stated she would not be able to support Mr. Malloy's proposal because, while perhaps the choice becomes whether to preserve those homes or not, she does not feel that is a choice the Board can make based on its role and its guidelines. She stated she does have draft language and had hoped that staff would have copies for her as she had no printer today. She stated her draft language builds on what staff had proposed for their second motion possible motion. She stated but first, she wanted to articulate how disappointed she has been that the path the County chose was pretty much to design a building that reflected their vision of what the courthouse should be and then basically say to us, take it or leave it. She stated she is not talking about how many houses stay as it is true that the design team did work with us at the end to try to come up with an option to keep one or two buildings. She stated unfortunately that does not address the main issue which has always been to maintain the historic streetscape. She stated retaining that part of the streetscape was never part of the County's vision for this building and we basically had to deal with, take the vision or leave it. She stated there has been none of the collaborative effort early on that we had in the last courthouse expansion where before the design team created something they worked with the Town, with the citizens, with people that work in the courthouse and the effort was made to design something that would sit lightly on the Historic District. She stated she realizes that a building like this can never sit but so lightly, but there was an effort in the past.

Ms. Minchew stated she fortunately or unfortunately has been through this process a few times and this process was much more akin to when the County Government Building came and we were told, again, take it or leave it, take it or we're moving. She stated she is very disappointed that this is happening again. She stated, I don't know if anyone saw it today, but today Preservation Virginia put out its annual list of most endangered places in the State and right there in bold letters are Virginia's courthouses and the surrounds of those courthouses, so we're not the only place that is dealing with this. She stated what they have pointed out is worth us all remembering; *“An integral part of many historic downtowns, Virginia's historic courthouses and courthouse squares have served as community centers for centuries. Not only do these places represent the judicial system and the important cases and individuals throughout our Nation's history, courthouses were often the places for important announcements, auctions, marketplaces, and even weddings and duels.”* She stated it goes on to read, *“Preserving historic courthouses*

and accommodating modern court needs requires a strategic balancing act. The integrity of historic courthouse and court house squares can be maintained to support downtown economies.” She stated they then go on to say, “We need transparency and need to include public input to ensure that the community’s values and economic impact are considered.”

Ms. Minchew stated she brings that up so everyone knows this is in the news again, not just here. She stated we all know it’s a balancing act but by the time this project came to the Board, the design, the footprint was already decided and inconveniently it did not include the historic streetscape on Edwards Ferry Road. She stated she is concerned that the County, and she is not attacking the design team, seem to have forgotten that the citizens and businesses in Leesburg are County taxpayers too and County revenues will be effected should an institutional building be inappropriately plopped down in an area which benefits from heritage tourism, which our Town does. She stated this was stated by the County’s Historic Resources Commission at the last Board of Supervisors meeting. She stated revenues will suffer if you doom Leesburg by moving the courthouse out, that will impact County revenues too and every time she hears this from the County she wonders what they are thinking. She stated it is very disappointing that this came to us the way that it did and it tied all our hands. Further, she stated at the appropriate time she would like to propose some alterations to staff’s second motion.

Mr. Meyer addressed Mr. Malloy’s proposal stating early on he also struggled with the greater good of keeping the courts downtown since it was at least thrown out there that maybe they would move if the demolition was not allowed. He stated wisely, Ms. Whiting counseled that the greater good would not be a decision for the Board to make and that we should stick to interpreting the guidelines and allow that decision, if it needs to be made, to be made at the Town Council level. He stated the Council Members are the elected officials and should a decision need to be made that would decide that there is a greater good beyond what is in the guidelines it should be appropriately made by the Town Council.

Mr. Meyer stated the potential relocation of the structures does very little as the whole historic value is the streetscape and by preserving a piece here and there you miss the important part which is the Edwards Ferry Road streetscape. He stated in general he agrees with Ms. Minchew’s analysis. He stated he does not believe there were any motives to exclude the BAR; however, it just sort of evolved that way and the Board was placed in a position where last August it did appear that decisions had been made.

Mr. Meyer stated the design team worked hard to try and reach a compromise and he appreciates the consideration of alternative storm water management and the possibility of preserving some of the buildings. He stated ultimately it is not the design team’s decision, it is that of the Board of Supervisors as the owners and they’ve made their decision. He stated ultimately he believes that if the BAR had been involved earlier a different outcome might be possible now. He stated as someone who practices in this Town and other historic districts where his clients are asked to meet the same requirements as is being asked of the County and we do, we figure out a way to make it work. He stated it makes it really difficult in this case that you acknowledge as a design team that the buildings have historic value yet the Board of Supervisors decided to take the decision that they did saying in essence that a different standard should be applied. He stated in his eleven years on this Board, this is the most difficult review he has had and he looks forward to hearing Ms. Minchew’s alternative language and getting to a vote.

Mr. Koochagian asked if he heard correctly that \$300,000 a month is being spent for delaying this project.

Mr. Hargreaves stated it is right around that amount.

Mr. Koochagian stated his concern is that we found ourselves here collectively and what is challenging is that he fully believes that in the right order, given the right process with the right people that we have we could’ve come up with a better situation and we would’ve been farther along. He stated this is only the beginning because when these buildings are torn down, if they

are torn down, a whole new set of problems is going to occur. He stated the County will have removed the one thing that could allow for a project of this size to stay in keeping with the district. He stated the building concept that removing these four buildings reveals to the streetscape is going to need a lot of work and he heard that some of the earlier concepts that may have had a chance of fitting into the guidelines were value engineered down.

Mr. Koochagian stated the size and scale of what we've seen as the chosen project is going to continue to be a challenge to all of us which translates into time. He stated he has just heard that time is a lot of money and that is where he has issues. He stated towards the end the design team has been working with the Board and we've bent over backwards to find a solution but our back was against the wall last August. He stated this is not directed specifically at the design team, but our back was against the wall. He stated we have gone through other projects, and others have been on the Board longer than he has, where something of this magnitude has been treated and effectively worked to success or at least conclusions that everyone could live with. He stated the one project he knows of where this hasn't worked in the past was with the current County Government Center which is the poster child for size, scale and massing abuse of our Historic District and this building is going to be no different the way it is conceptually conceived.

Mr. Koochagian stated he is not sure how we are going to find a way going forward if we cannot figure out a way to mitigate all of the concerns we have voiced as a Board about the size and scale of the new project. He stated we've got to find a way forward or we're going to be right back here with denials or approvals that no one wants and it will go back to Town Council for appeals at a cost of \$300,000 a month. Further, he stated this system is broken and he is frustrated as a taxpayer.

Mr. Hargreaves stated the \$300,000 we talk about is funds outside the schedule that we currently have, such as if we take the project and postpone it for eight months. He stated the County has not abandoned retaining at least a house on Edwards Ferry Road and he has tried to make this clear to Mr. Scofield and the Board. He stated the team feels very strongly about a couple of the structures.

Mr. Koochagian stated that is where our appreciation is, in where you have at least tried to advance the cause to some degree; however, what we are saying and what our guidelines say, which are part of the Zoning Ordinance, which is the law and all that this body has to act on. He stated it is about the streetscape, not about each individual building, but about what these buildings, in context, in the fabric of that part of Town mean to the district. He stated that is what we are all having a difficult time trying to address is wiping out four structures which in themselves have some value but when taken together you are taking part of the neighborhood.

Mr. Goodson stated he appreciates where Mr. Malloy is coming from with his proposal, he feels it is simply not this body's role or position to make the decision set forth. He concurred with the comments of Ms. Minchew, Mr. Meyer, and Mr. Koochagian. He stated the delays highlighted in the newspapers have not been the Town's or the BAR's delays. He stated the design guidelines were in place prior to the start of this project and the County has said they understand the guidelines, but chose to take a route in contradiction to the guidelines. He stated with regard to the houses, there has been talk of old versus historic; however, these four houses are the historic fabric of Leesburg, they are the streetscape which is what Leesburg's Old and Historic District is all about. He stated if we continue to erode this, we lose so much more than four individual buildings, you continue the erosion of the fabric and at some point you have to ask what is left. He stated one comment he read online indicated that we should stop calling it Historic Leesburg and just call it Leesburg and that is what these guidelines were put in place many years ago to protect. He stated in the County's review of the project they chose to take a path that was contradictory and therefore, these are not Leesburg's delays or the BAR's delays.

Mr. Hargreaves stated he does not believe the delays were on the part of the Town.

Mr. Goodson stated he understands the position the design team is in and sees the progress that has been made over the last month; however, if we could take this last month back two years ago

that is where we needed to be. He stated he concurs with Mr. Meyer's comments that we would be in a different place right now had that been the case. He stated as both a Town and County taxpayer, it is annoying that the project has gone this route and concurred with Ms. Minchew's comments that any impact to the Town of Leesburg will be felt by the County. Further, he stated Ms. Minchew, Mr. Koochagian and Mr. Meyer have made their points very well and he wholeheartedly agrees.

Mr. Hargreaves stated one of his concerns is the progress that has been made over the last four to six weeks. He stated he truly feels like we had bridged something and tonight will be the end of one phase; however, he does not want it to be the end of the relationship because the next phase will not be any easier but it could be a lot more productive.

Mr. Goodson stated the potential removal of these houses creates a whole new set of problems that could be greater than the problems of keeping the houses, so be careful what you ask for because you just might get it.

Ms. Welsh Chamblin thanked the applicant and the design team for the hours they have put in with this proposal and trying to work a consensus with the Board. She stated she does feel it is important to keep the courts downtown, but unfortunately the design could not be maintained as it is due to the needs of the facility and security. She stated this is a case where she would hate to be the BAR or Town Council because it will be a very difficult decision and she wishes that the houses could have been maintained in some part or fashion in the design of the building.

Council Member Fox stated she has been here only four-and-a-half months, but during that time she has seen this process and the dynamic between the County and the Town and it has been an eye-opener for her. She stated within the last month to two months she has seen a bridge as well with the County coming forward to offer some solutions and has seen the Board of Supervisors adamant in different ways as well. She stated she has seen both sides which has been a big learning experience for her. She stated the BAR has done a phenomenal job in studying this, looking at the issue from all angles and they have carefully considered the Old and Historic District Design Guidelines as they attempt to preserve our Historic District character and the streetscape along Edwards Ferry Road, which is what their goal is. Further, she stated she does not feel comfortable at this juncture giving any further opinion.

Chairman Kiley stated a couple of months ago he stated that he would like to know what the County claims they cannot do and what the County claims they will not do. He stated where we have come to, as of the meeting last Wednesday is that it is what they will not do, not what they cannot do. He stated it has been demonstrated to him clearly over the past five months that the 92,000 square foot court building can be constructed with the historic cores of these four buildings retained. He stated it is clear to him as a bell that it can be done, but the County doesn't want to do it and that is the dilemma that he has as a member of the BAR. He stated he gets the impression that the Board of Supervisors doesn't feel that the County Government should be subjected to the same requirements as every other applicant seeking to construct, or change, or improve a building, or demolish a building in the Old and Historic District. He stated they feel that the County is a separate entity that should not be burdened by these concerns; until the law is changed they don't have a choice and neither do we. He stated we follow the wall and if the County wishes to appeal our decision because they are not happy with it and the Town Council wishes to waive or not apply the Zoning Ordinance, they can do that but we can't.

Ms. Minchew asked if the Statements of Findings should be addressed before going into motions or if it is the Board's will to address each application separately.

Mr. Meyer suggested that the Board come to consensus on the Statement of Findings first.

Ms. Minchew stated she did not have any alterations to the general Statement of Findings.

Chairman Kiley asked if the Board should do separate motions.

Mr. Scofield stated the motions could be done separately or collectively.

Ms. Minchew stated she believes it will be cleaner, in the event that this continues beyond the BAR's decision, to act on each motion separately.

Mr. Goodson stated there is some relevance in acting collectively as we are trying to preserve the streetscape.

Mr. Meyer stated there is some thought by the County that they may try to preserve at least one building and he would prefer to do the motions separately.

Ms. Minchew stated she discussed this with staff and it seems as though, should this come before the Town Council, parts could easily be severed away with each application reviewed separately even if approved in total.

Ms. Whiting stated whether the Board does one motion or four, the County will be deciding what parts of the outcome, if any, it would want to appeal to the Town Council. She stated there is not a whole lot of magic involved in going one way or the other; however, if you feel strongly that you are trying to preserve the streetscape and the collective contributions of the buildings it may feel more comfortable to do all four in the same motion. She stated if there are findings that you would make on one building, but not on the other three then that would be another factor to consider. She stated the Board will find a remarkable consistency in staff's recommended findings including the general and individual Statement of Findings.

Mr. Meyer asked if just the fact that these are four separate applications would be enough of a reason to vote on them separately.

Ms. Whiting stated that is one reason to vote on the separately; however, it is within the Board's discretion.

Chairman Kiley stated he would like to vote on the applications separately and begin with TLHP-2014-0115.

Ms. Minchew stated she is not sure that she agrees with that as the more the discussion continues the more she sees an argument for acting on them all together in the collective.

Chairman Kiley stated that is fine.

Ms. Minchew stated there is more discussion to make and she is sure that we will be done in time. She suggested beginning with a straw poll regarding the general Statement of Findings. She stated there are a number of entries with the idea that you can include or not include the statements individually. She stated her sense is that the entire document is acceptable.

Chairman Kiley, Mr. Meyer, Mr. Koochagian and Mr. Goodson agreed that the document is acceptable.

Mr. Malloy stated his goal was to approve the demolition, so if a motion is made to deny the demolition then his vote would be nay.

Ms. Minchew stated any motion that moves forward needs to have the Statement of Findings attached to it.

Mr. Malloy stated he is fine with the general Statement of Findings as well.

Mr. Meyer stated we have the individual Statement of Findings for each property which need to be looked at as there is a possible yes, no, or inconclusive answer for each finding.

Mr. Koochagian stated at the end of the general Statement of Findings there is a line stating "more to be added" and asked what that is referencing.

Mr. Scofield stated if your decision is appealed, you are required to document what records were used in your decision. He stated all of that information has not been identified yet.

Ms. Whiting suggested that the line be stricken as part of this motion process.

Mr. Meyer read the Statement of Findings for 112 Edwards Ferry Road as follows:

1. *Is the building or structure designated historic in the architectural survey for the property?*
The consensus of the Board was yes.

2. *If the building or structure is designated as historic in the architectural survey, is it a resource that contributes to the architectural and historic integrity of the property?*

The consensus of the Board was yes.

The neighborhood, specifically the Edwards Ferry Road NE streetscape?

The consensus of the Board was yes.

And/or the Old and Historic District?

The consensus of the Board was yes.

A property is considered to be non-contributing if it does not have or retain integrity of any of the following:

- a. **Location** - *By being able to interpret the structure in its original location, it is possible to understand why the property was created and its contribution to the history of the area.*
- b. **Design** - *Defined as a combination of the elements that create the form, plan, space, structure, and style of a property. Integrity of design is applied to historic districts through the way in which buildings, sites and structures relate to one another and the rhythms of the streetscape.*
- c. **Setting** - *The physical character of the property in which the building is situated, and the building's relationship to surrounding features, open space, and adjacent structures.*
- d. **Materials** - *The choice and combination of materials reveal the preferences of those who created the property and the availability of particular types of materials and technologies and help define an area's sense of time and place. It is necessary that buildings retain key exterior materials dating from the district's period of significance in order to properly convey the history of the district's development.*
- e. **Workmanship** - *This aspect can apply to a structure as a whole or to its individual components and provides evidence of the builder's labor, skill, and available technology.*
- f. **Feeling** - *Results from the presence of physical features that when considered together convey the district's historic character. The original materials, design, workmanship and setting can, for example, either convey the feeling of a mid-nineteenth century working-class neighborhood or a warehouse district of the same time period.*
- g. **Association** - *The presence of physical features that remains sufficiently intact to link a district's historic character to an important historical event or person and to convey such to an observer.*

3. *If the resource has been determined to be a structure that contributes to the architectural and historic integrity of the property, neighborhood, and historic district, does the building retain structural integrity?*

The consensus of the Board was yes.

a. *Has the Applicant or expert witnesses provided any evidence and/or testimony that the building does not retain structural integrity?*

b. *Has Town staff provided any evidence and/or testimony that the building does not retain structural integrity?*

- c. *Through observations made during the site visit held on January 16, 2015 where an opportunity was provided to closely inspect and evaluate the building were any conditions observed by you revealing that structural integrity is not retained?*
 - d. *Has the Applicant submitted an economic and structural feasibility study for rehabilitating or reusing the structure that explores alternatives that may identify an occupant for the building and allow it to remain in place?*
4. *Has any evidence and/or testimony been provided that indicates relocation of this building should be considered as a viable alternative to demolition?*
The consensus of the Board was no.
 5. *Are the post-demolition plans appropriate to the architectural character of the historic district?*
The consensus of the Board was inconclusive.
 6. *Does the evidence and testimony submitted by the Applicant regarding Stormwater Management Infrastructure requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The consensus of the Board was no.
 7. *Does the evidence and testimony submitted by the Applicant regarding Perimeter Security requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The consensus of the Board was no.
 8. *Does the evidence and testimony submitted by the Applicant regarding Construction Staging requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The consensus of the Board was no.
 9. *Does the evidence and testimony submitted by the Applicant regarding Fire Safety requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The consensus of the Board was no.

Mr. Koochagian verified that the questions are the same on the individual Statement of Findings for each of the four structures.

It was the consensus of the Board that the answers provided to each question as stated above for 112 Edwards Ferry Road, would apply as the answers to the same questions for the individual Statement of Findings attached to 110, 108 and 106 Edwards Ferry Road.

Ms. Minchew stated she and Mr. Goodson were tasked as a committee of two to work with staff and come up with draft motion language. She stated they had a great meeting with staff following the last BAR meeting and had a meeting of the minds as to which way the motions should go; however, the idea had been that she and Mr. Goodson would review and edit the draft and then it would be sent to the Board members for comment. She stated since her comments could not be given in time to be added into the draft motion, she has some suggested language to add to what was proposed by staff. She stated she will read the language first, not as a motion, but to get feedback before moving forward. She asked if staff had incorporated language into the motion regarding how the applicant would go about fixing the buildings once the rear portions have been removed.

Mr. Scofield stated that information would come forward to the Board as a Certificate of Appropriateness application and does not need to be addressed in the motion.

Mr. Goodson suggested that language be included to stipulate that a Certificate of Appropriateness application would be needed to mitigate the partial demolition.

Mr. Scofield stated there is language in the motion regarding exploratory demolition which could potentially reveal a side of a building which might not necessitate the need for an application; however, if the exploratory demolition reveals a gaping hole, then an application may be required for reconstruction.

Ms. Minchew suggested including language that the applicant will return to the BAR with post demolition plans for rebuilding the newly exposed portions of the buildings.

Mr. Meyer stated that will come forward as part of the construction documents similar to Courthouse Commons.

Mr. Goodson suggested, in Condition 1 and Exhibit A, that the language be changed to say “the selective demolition will have negligible negative impact”.

Ms. Minchew moved that in the matter of BAR Case TLHP-2014-0115, 112 Edwards Ferry Road NE in application to demolish the contributing historic building, I move that the Board adopt the Statement of Findings common to all of the following applications prepared by staff dated May 18, 2015 and the Statement of Findings particular to this property, prepared by staff and also created on May 18, 2015 and further, I move that based on those Statements of Findings and the application submitted by Dewberry, Inc. date stamped November 17, 2014 along with associated testimony and evidence provided thereafter that this application TLHP-2014-0115 be approved in modified form and subject to the following conditions of approval:

1. As recommended in the final Staff Report, dated May 18, 2015, authorization and approval is granted for demolition of the area indicated in red on the diagram identified as Exhibit A attached to the final Staff Report for 112 Edwards Ferry Road NE; no other portion of the building is included in this approval. This selective, partial demolition will have negligible negative impact on the size, scale, massing and pedestrian-oriented nature of the Edwards Ferry Road streetscape and the surrounding historic district neighborhoods, and will minimally impact the integrity of the contributing historic resource, helping to provide a sense of scale and character between the proposed large institutional building and the smaller scale neighborhoods it will adjoin.
2. As provided in the Procedures and Regulations for Demolition and Relocation of Existing Structures as outlined in the Old & Historic District Design Guidelines, the applicant must conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource’s Guidelines for Conducting Cultural Resource Surveys in Virginia (1999, revised 2000); the applicant must conduct a Phase 1 archaeological study to determine if the property yields information important in Leesburg’s history; and the applicant must demonstrate that the site will be prepared and maintained in accordance with a landscape plan once portions of the building have been demolished;
3. The demolition may occur only after receipt by the applicant of both a building permit for new construction of the New District Courthouse and after receipt of final approval for the submitted rezoning TLZM-2015-0002;
4. For the interface area between the Red and Green Area as identified in Exhibit A, an exploratory investigation shall be performed by the applicant to identify and determine the historic materials to be saved and the non-historic materials, or otherwise approved materials to be removed with review and approval by the Preservation Planner;
5. The applicant will return to the BAR with post demolition plan for rebuilding the portions of the building newly exposed.
6. This approval shall not be construed as authorization, approval, or endorsement of any version or alternative concept for the exterior appearance of the new District Courthouse facility as presented to date by the applicant;
7. This approval in modified form is based on the General Statement of Findings common to 106, 108, 110, 112 Edwards Ferry Road NE and the Statement of Findings specific to 112 Edwards Ferry Road NE.

Mr. Meyer asked if the Statements of Findings should be read into the record as to what was decided. He stated the general statement was as written; however, the second one should be on the record.

Ms. Minchew continued, further, just to clarify for the record, the Statement of Findings specific to the application for the demolition of 112 Edwards Ferry Road NE is as follows:

As per the procedures for reviewing the proposed demolition of Existing structures as outlined in the Old & Historic District Design Guidelines the BAR will review requests for demolition in accordance with the following steps:

1. *Is the building or structure designated historic in the architectural survey for the property?*

The finding of the Board was yes.

2. *If the building or structure is designated as historic in the architectural survey, is it a resource that contributes to the architectural and historic integrity of the property?*

The finding of the Board was yes.

The neighborhood, specifically the Edwards Ferry Road NE streetscape?

The finding of the Board was yes.

And/or the Old and Historic District?

The finding of the Board was yes.

A property is considered to be non-contributing if it does not have or retain integrity of any of the following:

- a. **Location** - *By being able to interpret the structure in its original location, it is possible to understand why the property was created and its contribution to the history of the area.*
 - b. **Design** - *Defined as a combination of the elements that create the form, plan, space, structure, and style of a property. Integrity of design is applied to historic districts through the way in which buildings, sites and structures relate to one another and the rhythms of the streetscape.*
 - c. **Setting** - *The physical character of the property in which the building is situated, and the building's relationship to surrounding features, open space, and adjacent structures.*
 - d. **Materials** - *The choice and combination of materials reveal the preferences of those who created the property and the availability of particular types of materials and technologies and help define an area's sense of time and place. It is necessary that buildings retain key exterior materials dating from the district's period of significance in order to properly convey the history of the district's development.*
 - e. **Workmanship** - *This aspect can apply to a structure as a whole or to its individual components and provides evidence of the builder's labor, skill, and available technology.*
 - f. **Feeling** - *Results from the presence of physical features that when considered together convey the district's historic character. The original materials, design, workmanship and setting can, for example, either convey the feeling of a mid-nineteenth century working-class neighborhood or a warehouse district of the same time period.*
 - g. **Association** - *The presence of physical features that remains sufficiently intact to link a district's historic character to an important historical event or person and to convey such to an observer.*
3. *If the resource has been determined to be a structure that contributes to the architectural and historic integrity of the property, neighborhood, and historic district, does the building retain structural integrity?*
- The finding of the Board was yes.
- a. *Has the Applicant or expert witnesses provided any evidence and/or testimony that the building does not retain structural integrity?*
 - b. *Has Town staff provided any evidence and/or testimony that the building does not retain structural integrity?*
 - c. *Through observations made during the site visit held on January 16, 2015 where an opportunity was provided to closely inspect and evaluate the building were any conditions observed by you revealing that structural integrity is not retained?*
 - d. *Has the Applicant submitted an economic and structural feasibility study for rehabilitating or reusing the structure that explores alternatives that may identify an occupant for the building and allow it to remain in place?*

4. *Has any evidence and/or testimony been provided that indicates relocation of this building should be considered as a viable alternative to demolition?*
The finding of the Board was no.
5. *Are the post-demolition plans appropriate to the architectural character of the historic district?*
The finding of the Board was inconclusive.
6. *Does the evidence and testimony submitted by the Applicant regarding Stormwater Management Infrastructure requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The finding of the Board was no.
7. *Does the evidence and testimony submitted by the Applicant regarding Perimeter Security requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The finding of the Board was no.
8. *Does the evidence and testimony submitted by the Applicant regarding Construction Staging requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The finding of the Board was no.
9. *Does the evidence and testimony submitted by the Applicant regarding Fire Safety requirements for the new District Courthouse warrant consideration of the complete and total demolition of this resource?*
The finding of the Board was no.

The motion was seconded by Mr. Meyer.

Chairman Kiley suggested an amendment to the motion to state that this applies to the other buildings as well.

Mr. Goodson expressed support for Chairman Kiley's suggestion.

Ms. Minchew stated she would accept the amendment if it is the consensus of the Board.

Mr. Scofield stated under the second condition there is a question as to whether the applicant should be required to perform a reconnaissance or intensive-level survey. He stated the applicant has already prepared almost everything required for an intensive-level survey.

Ms. Minchew amended the second condition to state that the applicant must conduct an intensive-level survey.

Ms. Minchew stated she would also accept the friendly amendment to include in this approval, in like manner, and using the documents particular to each as provided to us by staff, TLHP-2014-0116 for 110 Edwards Ferry Road NE, TLHP-2014-0117 for 108 Edwards Ferry Road NE, and TLHP-2014-0118 for 106 Edwards Ferry Road NE.

The motion was approved by a 5-1-1 vote (Malloy opposed and Reimers absent).

e. TLHP-2015-0017, 601 Catoctin Circle NE (Paxton Campus)

Project Description: Renovation of historic stone barn for classroom and office use.

Chairman Kiley noted the public hearing for this case is open.

Mr. Scofield outlined the proposal as follows:

1. Restoration of exterior stone material;
2. Repair of wood windows and replacement where deteriorated or missing;
3. Repair of exterior wood doors and replacement where deteriorated or missing;
4. Reconfiguration and enclosure of service and equipment openings;
5. Restoration of fascia, brackets and soffit;
6. Installation of insulation and replacement of asphalt shingle roof; and

7. Accommodations for future additions.

He outlined the location of the barn on the Paxton site as well as the elevations noting the proposed repairs. He stated there are non-historic animal cages and other infill pieces in the rear of the structure which the applicant proposes for demolition. He noted there has been a proposal to perhaps raise the roof 4 inches and specifications are needed. Further, he recommended that the application be approved in concept only with the following additional information required before final approval is granted:

1. Roofing material – additional information is needed from the applicant regarding the extent that roofing is to be replaced and the appearance of the new material.
2. Roof form & features – additional information is needed from the applicant on the approach to be used for insulating the roof and the appearance of the roof, fascia, and cornice if the roof is to be raised including revised drawings.
3. Deteriorated roof features – additional information is needed from the applicant on the quantities of existing roof features such as brackets, cornice and fascia that require replacement and specifications on the proposed material to be used.
4. Gutters & Downspouts – if gutters and downspouts are to be installed, locations on the building and specification should be provided by the applicant.
5. Small windows – if possible, one original small window should be repaired rather than replaced to serve as a representative example.
6. 'Storefront' windows – a frame and kick plate should be added to the large storefront glass windows to be installed in the equipment bay openings on the South elevation.
7. Pedestrian entrances – additional information is needed from the applicant regarding the extent that existing door frames and panels are to be replaced. Also the detailed appearance of and specifications for the proposed replacement doors should be provided.
8. Animal/equipment entrances – additional research should be conducted to determine if the proposed appearance is appropriate. Information is needed from the applicant regarding the extent that existing door frames and panels are to be replaced. Also, a drawing detailing the appearance and specifications should be provided for the large, fixed replacement doors for the animal/equipment entrances.
9. Shutters – additional research should be conducted to determine if the proposed appearance of the shutters is appropriate and a drawing detailing the appearance and specifications of the shutters should be provided.

The applicant, Beck Dickerson, stated he has provided updated language and drawings to address questions raised by staff. He stated he does not know what the original barn doors looked like; however, he feels they were likely simple without much flair. He requested PVC or synthetic material for the cornice stating it will appear as wood once painted. He stated in the area where the soffit meets the stone, there is a small gap so the installation of a piece of PVC trim against the stone to close the gap would make the structure insect and animal proof. He stated he is also requesting permission to install a 42 inch metal railing in front of the large hurricane glass window proposed for the rear to prevent anyone from walking into it. He stated he hopes to use two existing doors in good shape; however, the one leaning against the back wall may not be repairable and may need to be reconstructed. Further, he stated there are strap hinges that will need to be replaced for the upper doors to ensure they can be opened flush against stone and remain open, but will be operable if needed.

There were no members of the public who wished to address this item.

Chairman Kiley stated staff recommends approval in concept only; however, Mr. Dickerson has presented specifics that he does not believe the Board is prepared to address.

Mr. Scofield stated there has been quite a bit of specific information provided; however, it is the Board's prerogative to proceed as they see fit.

Mr. Goodson asked the applicant's timeframe.

Mr. Dickerson stated he would prefer to have approval by the June meeting to allow construction to begin on July 10th. He stated he looks forward to discussing additional details at the next work session.

Mr. Goodson verified the applicant does not intend to install gutters and downspouts.

Mr. Dickerson stated he suspects the original barn did not have gutters and downspouts.

Mr. Goodson asked if the PVC would be a flat board scribed into the stone in the soffit detail.

Mr. Dickerson stated the PVC would be applied flat and caulked to seal the building.

Mr. Koochagian stated he has significant concern with two aspects of the project, the first being the windows. He stated he understands there are few which can be repaired; however, he needs additional information regarding what will replace the remaining windows. He stated his other concern is the raising of the roof 4 inches and while he understands the reason for the proposal, no specific information has been provided to demonstrate what that will look like. He stated he is concerned that the roof proposal will change the character of the barn. He stated windows and roof are two of the most character defining features and additional information is needed to include elevation drawings. Further, he stated while he can appreciate that the structure did not have gutters originally, the lack of gutters may pose a safety risk and he would recommend that the applicant considers addressing this item during the current approval process.

Mr. Dickerson stated this building is just one part of the complex to be constructed on this site.

Mr. Koochagian stated the drawings show the drip edge of the roof overhanging the sidewalk.

Mr. Dickerson stated he is concerned about the visual impact and he wants the structure to be beautiful. He stated the choice they are facing is to put insulation under the existing rafters to cover them up or to put it on top of the rafters to maintain the beauty. He stated he will provide details for the Board's consideration.

Mr. Meyer questioned if the conceptual approval as outlined in the staff report is of any value to the applicant. He asked the extent of the alternative material the applicant is proposing and where it is to be applied.

Mr. Dickerson stated it is hard to see the cornice and soffit because of the vines but he is assuming there is a considerable amount of damage. He stated if there is a significant amount of damage, he would propose using PVC for the soffit and the fascia.

Mr. Meyer verified that proposal would be for the entire soffit and fascia.

Mr. Dickerson stated if only a small amount is damaged, he would be willing to replace the damaged materials with wood. He stated the synthetic trim to be placed between the soffit and stone would go around the whole building.

Mr. Meyer asked if the applicant foresees any issue with the state or federal grant by proposing synthetic material.

Mr. Dickerson stated if it poses a significant issue he will use wood.

Mr. Meyer stated the use of alternative materials is not typically entertained for historic structures; however, he has heard it come up in similar situations where it might make sense especially where it cannot be touched. He stated in some areas the use of synthetic materials is allowed in such cases and this is something that this Board can look into.

Ms. Minchew thanked the applicant for the site visit saying it was very helpful. She asked that staff look into whether the Board has previously approved the use of PVC on contributing resources.

Mr. Malloy verified the applicant will provide documents and elevations for the work session discussion.

Council Member Fox thanked Mr. Dickerson for the site visit. She stated it is evident that Paxton is a gem and she is hopeful that this project will move forward.

Chairman Kiley stated he would like the public hearing to remain open.

Mr. Koochagian stated because the barn is located far from the public right-of-way, he feels this may be an instance where alternative materials might be approvable.

Mr. Meyer stated he would look beyond Leesburg to see what the trend is in preservation theory regarding the use of alternative materials.

Mr. Scofield stated he has received several inquiries regarding what the Town is doing in these instances.

Mr. Meyer stated he believes the additional 4 inches added onto the roof will not have much of a visual impact; however, he feels the greater visual impact would be in adding gutters and downspouts. He stated it is up to the applicant to decide if gutters and downspouts are needed for safety reasons.

Ms. Minchew stated she believes the project, in concept, is going in the right direction. She stated she is concerned with the visual impact of raising the roof. She stated a rendering of all sides would be helpful; however, she would also like to see a rendering to show what this will look like from the public way as well as assurances that other alternatives to raising the roof while maintaining the desired visual of the vaulted ceilings have been considered. She stated she would like to see as many small windows rehabilitated as practical. She stated she understands the concern regarding windows related to the internal use; however, there are ways to mitigate those concerns. She stated there is evolution with the use of synthetic materials; however, our current standard is whether the material appears as wood, which in some cases multiple coats of paint are required to achieve that standard. She stated she would like assurance from staff that the use of the synthetic material will not cause damage to the historic property. She stated she would need to see details of the proposed railing to be placed in front of the windows. She stated in those situations where there is no evidence of what building materials were previously there, the applicant should offer support for what is proposed. Further, she stated she has no problem approving the removal of the animal cages and non-structural wood panels on either side of the cages.

Mr. Malloy verified the applicant would like approval tonight for removal of the animal cages.

Ms. Welsh Chamblin stated it is very exciting that the barn will be repurposed for use in the community and more people will be able to see the interior. She stated the Paxton campus serves a great need in the community. She stated she shares some of the same concerns regarding the proposal to raise the roof and looks forward to seeing additional details in the future.

Mr. Dickerson stated the proposal to use synthetic material is not a deal breaker for the project.

There was further discussion regarding the potential vote tonight for removal of the animal cages and infill panels. It was verified by staff that the materials are non-historic.

Mr. Koochagian asked that the applicant provide justification, based on the guidelines, for the work session discussion to demonstrate how the change in roof form is approvable.

Mr. Malloy moved to approve TLHP-2015-0017 in regards to the animal pens on the south façade and additionally the removal of the infill wood panels and sliding wood door also on the south side.

Mr. Goodson proposed a friendly amendment to include the infill panels on both the east and west wings of the south side.

Mr. Koochagian proposed a friendly amendment to state that all of the items proposed for removal are non-historic.

Mr. Goodson proposed a friendly amendment to state that removal of the infill panels does not include associated framing.

The friendly amendments were accepted.

The motion was seconded by Ms. Minchew and approved by a 6-0-1 vote (Reimers absent).

Ms. Minchew moved to continue the balance of application TLHP-2015-0017 to the next work session.

The motion was seconded by Mr. Goodson and approved by a 6-0-1 vote (Reimers absent).

Public Hearings on New Cases in the H-1 Overlay District

a. TLHP-2015-0031, 217 South Street SE

Project: Construct deck and replace siding

Chairman Kiley opened the public hearing at 8:01pm.

Mr. Scofield outlined the proposal to construct a deck on the rear (south side) of the residence and replace the existing metal siding with horizontal siding to match other horizontal siding on the structure. He outlined the location of the structure as well as the proposed design for the deck. He stated there is a variation in the drawing provided by the applicant and what is proposed. Further, he recommended approval of the application with the following conditions:

1. The appearance of the handrail shall match the cross-section shown in Exhibit E in the staff report including horizontal top rails installed beneath the handrail.
2. The bottom rail and balusters shall not come into contact with the deck flooring.
3. Railing balusters shall be square in cross-section and shall match the appearance and quality shown in the drawing and photograph submitted by the applicant shown in Exhibits D and E
4. The ends of the deck joists shall be covered by a skirt board
5. A sample of the proposed horizontal siding that matches the existing siding on the residence and corner trim shall be provided by the applicant including material, exposure, dimension and profile.

The applicant, Nicholas Krukowski, stated he is happy to consider any recommendations the Board may have to improve the proposal.

There were no members of the public wishing to address this application.

Chairman Kiley asked if the applicant has any concerns with the conditions proposed by staff.

Mr. Krukowski stated he does not have samples for the siding. He stated one side of the structure has aluminum siding while other facades have wood siding. He stated he proposes to use wood clapboard with similar dimensions.

Mr. Goodson asked if the exact location of the siding is defined.

Mr. Krukowski provided images of the area; stating it is just on the rear bump out addition.

Mr. Goodson asked if trim will be added to the area where the siding is being replaced.

Mr. Krukowski stated trim will be added in addition to the existing gutter which provides a defined break.

Mr. Goodson verified the trim will be 1x4 flat trim.

Mr. Koochagian stated it appears pressure treated lumber is proposed for the deck and asked if it would be painted or stained.

Mr. Krukowski stated there is an example of the amber red stain color in the application that he would like to use; however he is open to suggestions.

Ms. Minchew asked if the applicant considered a stain or paint that would be more in keeping with the structure, with white for the balusters and railings.

Mr. Krukowski stated he would be open to that suggestion.

Mr. Malloy asked if the pickets would be traditional square or pressure treated rounded corners.

Mr. Scofield stated he would not have an issue with the use of off the shelf rounded corner pickets.

Mr. Krukowski stated he had looked at the rounded corner pickets; however, he would be willing to install the square edge pickets if the Board prefers.

Mr. Malloy asked if window trim or corner boards would be impacted by the change in siding.

Mr. Krukowski stated there are no windows in the area proposed for the siding change. He stated he proposes to leave the door trim as is.

Mr. Meyer stated given the location of the deck and the fact that this is a modest house, the off the shelf pieces proposed by the applicant for the deck are appropriate. He stated it would look better if the rails, skirt boards and pickets were painted white to better blend with the house.

Ms. Minchew stated she appreciates Mr. Malloy drawing attention to the difference in the pickets; however, she feels what is proposed is appropriate given the location and the style of the house.

Mr. Krukowski noted the deck is obscured from the street view by a privacy fence.

Mr. Koochagian stated he has less concern about the wood because of the deck location. He stated he agrees that white railings with an opaque stain on the decking would be preferred to blend with the house. Further, he stated he has no issues with the change in siding; however, a sample should be provided to staff for the record.

Ms. Minchew stated having a sample would be ideal; however, in the past approvals have been granted where the applicant states it will match the existing in dimension and material.

Mr. Goodson verified there are several siding material types on the house; however, the proposal is to match the wood clapboard siding.

Mr. Meyer moved to approve TLHP-2015-0031 in accordance with the following conditions:

1. The appearance of the handrail shall match the cross-section shown in Exhibit E in the staff report including horizontal top rails installed beneath the handrail.
2. The bottom rail and balusters shall not come into contact with the deck flooring.
3. Railing balusters shall be square in cross-section and shall match the appearance and quality shown in the drawing and photograph submitted by the applicant shown in Exhibits D and E
4. The ends of the deck joists shall be covered by a skirt board
5. A sample of the proposed horizontal siding that matches the existing siding on the residence and corner trim shall be provided by the applicant including material, exposure, dimension and profile.
6. The pickets, top rail, bottom rail, hand rail, fascia and exposed posts will be painted white to match the trim on the house.

Ms. Minchew suggested eliminating condition 5 regarding the sample siding in light of the previous discussion.

The amendment was accepted by Mr. Meyer.

The motion was seconded by Ms. Minchew and approved by a 6-0-1 vote (Reimers absent).

b. TLHP-2015-0003, 19 and 23 East Market Street

Project: Install exterior storm windows on façade

Chairman Kiley opened the public hearing at 8:18pm

Mr. Scofield outlined the proposal to install up to thirty-six exterior storm windows on the significant contributing, historic resource located at 19 E Market Street and to install up to nine exterior storm windows on the significant contributing, historic resource located at 23 E Market Street. He stated the installation of storm windows can typically be administratively approved; however, he brought this application before the Board as exterior storm windows are proposed and the facades of these buildings have operable shutters. He stated it is the applicant's intention for the shutters to remain operable; however, the exterior screens will impede their operation. He outlined the various window conditions for the various facades of the buildings and suggested installation methods for each. Further, he recommended approval of the application with the following conditions:

1. The exterior storm windows on 19 and 23 E Market Street shall be custom-made to match the exact dimensions of each window opening so that no historic material including any historic hardware is removed from the existing historic windows and frames during installation.
2. The storm windows shall be manufactured of white metal frames with a single, clear plastic light containing no rails or muntins that matches the specifications and samples provided by the applicant.
3. The storm windows shall be installed so that they are easily removed using a minimal number of fasteners as is practicable. Any portion of fasteners left exposed shall be painted white to match window frames. No adhesives shall be used during installation that comes in contact with historic materials.
4. Exterior storm windows shall be mounted in the following positions:
 - Window type 1 – Façade of 19 E Market Street
 - Window type 2 – Other masonry elevations on upper floors of 19 E Market Street
 - Window type 3 – Basement windows on 19 E Market Street
 - Window type 4 – Windows in rear frame addition of 19 E Market Street
 - Window type 5 – Oldest portion of façade on 23 E Market Street
 - Window type 6 – Old masonry addition on façade of 23 E Market Street
 - Window type 7 – Other first floor masonry windows on rear of 23 E Market
 - Window type 8 – Attic windows on 23 E Market Street – no storms.
5. The existing shutters on the facades of 19 and 23 E Market Street shall be repaired and maintained in operable condition.
6. All existing historic shutter and window hardware including, but not limited to, hinges, pintles, dogs, stays, catches, latches and fasteners shall remain in place regardless of obsolescence.
7. The applicant may replace missing or damaged functional window and shutter hardware as long as the hardware selection is approved by the Preservation Planner prior to purchase.
8. Appropriate fasteners shall be used on all shutter hinges. Cross-head screws with an anodized finish are not appropriate.

The applicant, Muriel Sarmadi stated she purchased the buildings in December 2012 and started to repair leaks and other items needed to complete restoration of the buildings. She stated there have been issues regarding cold air coming through the windows in the winter and felt the best way to preserve the windows would be to install exterior storm windows.

Mike Vonder Born, contractor for the applicant, stated none of the existing hardware will need to be removed; rather a place is needed to hold the bars for the shutters. He provided a sample for how he proposes to maintain the bars and secure the shutters by installing a piece on the bottom of the window to provide a hole for the bar to go into.

There were no members of the public who wished to address this application.

Mr. Malloy verified the existing windows do not open and the storm window will be screwed to the window frame and will also not open. He asked how the applicant intends to clean the window face.

Ms. Sarmadi stated the windows will be cleaned on the outside.

Mr. Malloy asked if the storm window is plastic.

Mr. Vonder Born stated the proposed storm windows are glass and aluminum.

Mr. Malloy verified the glass will be scratch resistant.

Ms. Minchew asked if this application was forwarded to the Board solely for the necessary alterations to keep the operable shutters.

Mr. Scofield stated his concern is that these are two highly significant buildings in the Old and Historic District. He stated he was willing to approve the storm windows for the elevations without shutters; however, the applicant asked that the application be brought forward to the Board in whole.

Mr. Meyer verified the applicant is in agreement with staff's recommended conditions.

Mr. Koochagian asked if the storm windows are single windows or if there is a meeting rail.

Mr. Scofield stated the storm windows do not have a meeting rail.

Mr. Goodson asked if the current stays on the window sills for 19 E Market Street will need to be removed.

Mr. Vonder Born stated the stays are set back from the edge of the sill. He stated some just have copper tubing or other materials; however, each of the windows on both buildings is unique and there is no historic hardware that will be removed.

Mr. Koochagian noted staff had recommended that no sealant be used; however, that is not atypical for installation of storm windows.

Mr. Scofield stated he wanted to ensure that any sealant used would not harm the wood or any historic portion of the building.

The public hearing was closed at 8:46pm.

Mr. Goodson stated he finds the application to be approvable under the guidelines; however, he would've preferred interior storm windows.

Mr. Koochagian stated the guidelines state that storm windows should have a meeting rail and asked the applicant if they would be willing to use a storm window with the meeting rail.

Mr. Vonder Born stated staff recommended storm windows without the meeting rail so as to allow full visibility of the historic windows.

Mr. Koochagian expressed concern that the elimination of a meeting rail will create a large reflective surface on the windows.

Mr. Meyer stated he believes there are examples of storm windows in the downtown which do not have the meeting rail and he concurs with staff's analysis that this allows for the full impact of the historic windows to be seen.

Ms. Minchew stated the guidelines specifically state that storm windows are to have a meeting rail. She stated she has seen storm windows without meeting rails and it creates a large expanse of glass which can reflect light in a funny way. She stated if we choose approve the storm windows without a

meeting rail the reason for not following the guideline will need to be specifically stated in the motion. She thanked Mr. Vonder Born for his creative solution for the cover over the expander bar to address the problem with the shutters. She stated she has an issue with staff's first proposed condition that the storm windows "shall be custom made" and she asked that the language be changed to state "shall match" so we are not requiring custom made. Further, she asked if the language should be clarified in condition 3 regarding sealant versus adhesive.

There was further discussion regarding "sealant" versus "adhesive". It was determined that the installation process as stated by the applicant would use a sealant.

Ms. Minchew stated she appreciates staff's concern regarding the requirement to keep all of the existing hardware and asked if the applicant is comfortable with that condition. She stated she is not sure of the necessity in requiring hardware to remain where there are no shutters.

Council Member Fox stated she would prefer to see the storm windows on the inside as she feels the exterior installation will take away from the look of the building.

Mr. Malloy stated if the flexibility can be found in the guidelines, he would prefer to see one lite as opposed to a meeting rail in the storm window.

Mr. Goodson stated he is sympathetic with the point of view expressed by Mr. Meyer and while he recognizes the lacking in the guidelines on the issue; he views this as a preservation tool to lock a double hung window in a single casing. He stated he would feel comfortable leaving the choice to the applicant.

Mr. Scofield read from the guidelines as follows, "Match divisions of sash lines to the original windows. Use meeting rails only in conjunction with double hung windows". Storm window divisions, if any, should match those of the window.

Mr. Meyer and Mr. Goodson stated they could read that as optional.

Mr. Meyer moved to approve TLHP-2015-0003 in accordance with the following conditions and clarification:

1. The exterior storm windows on 19 and 23 E Market Street shall be custom-made to match the exact dimensions of each window opening so that no historic material including any historic hardware is removed from the existing historic windows and frames during installation.
2. The storm windows shall be manufactured of white metal frames with a single, clear plastic light containing no rails or muntins that matches the specifications and samples provided by the applicant.
3. The storm windows shall be installed so that they are easily removed using a minimal number of fasteners as is practicable. Any portion of fasteners left exposed shall be painted white to match window frames. No adhesives shall be used during installation that comes in contact with historic materials.
4. Exterior storm windows shall be mounted in the following positions:
 - a. Window type 1 – Façade of 19 E Market Street
 - b. Window type 2 – Other masonry elevations on upper floors of 19 E Market Street
 - c. Window type 3 – Basement windows on 19 E Market Street
 - d. Window type 4 – Windows in rear frame addition of 19 E Market Street
 - e. Window type 5 – Oldest portion of façade on 23 E Market Street
 - f. Window type 6 – Old masonry addition on façade of 23 E Market Street
 - g. Window type 7 – Other first floor masonry windows on rear of 23 E Market Street
 - h. Window type 8 – Attic windows on 23 E Market Street – no storms.
5. The existing shutters on the facades of 19 and 23 E Market Street shall be repaired and maintained in operable condition.
6. All existing historic shutter and window hardware including, but not limited to, hinges, pintles, dogs, stays, catches, latches and fasteners shall remain in place regardless of obsolescence.
7. The applicant may replace missing or damaged functional window and shutter hardware as long as the hardware selection is approved by the Preservation Planner prior to purchase.

8. Appropriate fasteners shall be used on all shutter hinges. Cross-head screws with an anodized finish are not appropriate.
9. The vision panel shall be glass.

Mr. Goodson proposed a friendly amendment to change the language in condition 1 to remove the language, "custom made".

The friendly amendment was accepted by Mr. Meyer.

The motion was seconded by Mr. Malloy and approved by a 5-1-1 vote (Koochagian opposed and Reimers absent).

New Cases in the H-2 Overlay District
None

Administrative Approvals

- a. **TLHP-2015-0028, 338 W Market Street - lighting**
- b. **TLHP-2015-0029, 10 Church Street SE – admin review of windows**

Old Business

New Business:

Mr. Meyer stated the Joint Architectural Review Board Awards will be in September this year and the Board may want to begin looking at potential projects at the next meeting.

Adjournment: The meeting was adjourned at 10:43 p.m.

Edward Kiley, Chair

Deborah E. Parry, Planning & Zoning Assistant