



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

Monday, 19 December 2011
Town Hall, 25 West Market Street
Council Chamber

MEMBERS PRESENT: Dieter Meyer, Chair; Jim Sisley, Vice-Chair; Richard Koochagian, Parliamentarian; Teresa Minchew; Paul Reimers; Edward Kiley;

MEMBERS ABSENT: Tracy Coffing; Mary Harper, Planning Commission Representative; Marty Martinez, Town Council Representative

STAFF: Annie McDonald, Preservation Planner; Barbara Notar, Deputy Town Attorney; Mike Watkins, Sr. Planner

Call to Order and Roll Call

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

Adoption of Agenda

Annie McDonald noted that item 6d, TLHP 2011-0087 needs to be stricken from the agenda. The applicant needs to go to a comprehensive sign plan that will be reviewed by staff. Mr. Sisley moved to adopt the meeting agenda striking item 6d. Ms. Minchew seconded the motion and it passed unanimously 6-0-1 (Coffing absent)

Approval of Minutes

Mr. Sisley moved to approve the November meeting minutes; Ms. Minchew seconded the motion, and it passed unanimously 6-0-1 (Coffing absent).

BAR Member Disclosure

Mr. Sisley disclosed a business relationship with the Greenway Farm, stating that this would not hinder him from making a fair decision in this case.

Mr. Reimers recused himself from TLHP 2011-0080 since he is the applicant in this case.

Mr. Meyer also recused himself from TLHP 2011-0080 because of a contractual relationship with the applicant. He is also recusing himself from TLHP 2011-0091, since he has a financial interest in a potential project as related to responding to a RFP.

Consent Agenda

Chairman Meyer turned this portion of the meeting over to Vice Chairman Sisley to conduct. Mr. Sisley asked if there was a motion to change the consent agenda. The consent agenda consists of item 6e. TLHP 2011-0091, 18 East Market Street, partial roof replacement with dormers. Ms. McDonald said that staff recommended approval of that application as submitted. Mr. Kiley moved to approve BAR case TLHP-2011-0091 (18 East Market Street); Ms. Minchew seconded the motion, and it passed unanimously 5-0-1-1 (Mr. Meyer recuse, Coffing absent).

Petitioners

There were no petitioners.

Public Hearing Agenda

- a. **THLP-2011-0076 (H-1 Overlay District), Applicant: Fabien Saeidi, Project: 209B Wirt St., SW,** replace the metal guardrail with pressure treated wood.

Annie McDonald said this was held over due to lack of applicant representation at the November 21, 2011 meeting. The BAR did not hold a public hearing and did not discuss this case on November 21st. She pointed out the property on Wirt Street. The structures were built with metal guardrails. The issue is the metal railing was replaced by pressure treated wood. The design of the railings should be consistent between the structures since they are generally similar. The wood rails feature deck construction in that the ballisters overlap the base rail and the top rail. It also has exposed metal graphics holding the 4x4 posts down which is not traditional construction.

Based in the findings that the circa 1910 duplex is a historic contributing resource in the Old and Historic District, and the design of the railings is not consistent with traditional porch railing design, and that it features exposed metal braces and contemporary dimensions and profiles associated with modern deck construction, and the other two duplexes, one of which is identical in design to the subject building feature metal railings installed between 1958 and 1975 and the installed railings have been found not to comply with the Old and Historic District Design Guideline, staff recommends approval of the replacement with the following modifications: The current railings will be removed and that the new railings will be designed to be consistent with the other railings on the adjacent structures at 205 and 207 Wirt Street, SW; and that the final railings will be administratively approved by staff prior to installation.

Fabien Saeidi, owner of the properties, came forward and said they had chosen the wooden design to prevent anyone falling from the stoop. He said they could put it back to the original design but the town would be responsible if someone were to get hurt.

Ms. Minchew asked Mr. Saeidi what the problem was with the metal railing. He replied it was hard to keep it attached to the concrete. She asked what the original railing was. He said it was metal.

There were no further questions and no members of the public addressed the Board on this.

Ms. Minchew asked that a metal railing be put back in.

Mr. Reimers said a metal railing is drilled into the concrete and put in with an epoxy. Iron rails can be safely installed. Mr. Saeidi said he has had it done and it did not work. He said he could do it again, however, if it fails, he will not be responsible.

Chairman Meyer said there is a long history of this type of railing being installed and has met code and inspections. He said the wood railing as currently designed should be relatively easy by altering the way the pickets are attached, perhaps by altering the trim board top and bottom to make it look like a traditional rail. They would need to replace the other rail and paint them both for consistency.

Ms. Minchew asked the town attorney if she could suggest language that would ensure that any railing installed, is installed properly and according to code? Ms. Notar said the applicant is here for a certificate of appropriateness and that is all. He would still be responsible for proper installation in compliance with the zoning ordinance and building code. The BAR is only concerned on whether the railing is historically appropriate, and that's all. There was further discussion on the safety of the various materials and whether the installation was up to code. Ms. McDonald stated that any issue that regards compliance with the zoning ordinance or other applicable town codes would have to be determined by the zoning administrator and town attorney. Pending the BAR decision and the action this evening the town staff will follow up accordingly. The deputy attorney added that if the applicant is unhappy with the decision, there is an appeal period.

Based on the findings that the circa 1910 duplex is an historic contributing resource in the Old and Historic District and the design of the railings is not consistent with traditional porch railing design in that it features exposed metal braces and contemporary dimensions and profiles associated with modern deck construction, and the other two duplexes, one of which is identical in design to the subject building, feature metal railings that appear to have been installed between 1950 and 1975, and the installed railings have been found to not comply with the old and historic district guidelines, and that we have been informed by the applicant that the previous railings were unsafely installed, Ms. Minchew moved to approve TLHP 2011-0076 with the following modifications and conditions: 1) the current railings will be removed; 2) a new railing will be designed to be consistent with the other railings on the adjacent structures at 205 and 207 Wirt Street, SW, and installed according to all appropriate building codes and with all required permits; 3) the final railings must be administratively approved by staff prior to installation. Mr. Koochagian seconded the motion. Mr. Sisley moved to add the term "wood" prior to railings in item #1. Ms. Minchew accepted the proposed change.

Mr. Meyer asked if administrative approval was still something the Board is comfortable with. Ms. Minchew said she would like to amend item 3 to say "the design and materials of the final railings. . ."

The applicant questioned why there needed to be a new design. If the Board wants them to replace this, then they will replace it. Ms. McDonald said if the applicant purchases a new metal railing similar in design to the one on the building, all she would need is an illustration which is easily obtainable. If the applicant chooses to reinstall the removed metal railing, the BAR may wish to include a condition or a modification as a #4 that alternately the applicant may reinstall the removed railing. If that is the case, then you would not need to submit anything since Ms. McDonald would know what was being installed, except that a post installation inspection might be warranted to insure that it is consistent with what is still out there.

Ms. Minchew suggested an additional #4 to the motion as follows: alternately the applicant may reinstall the removed railings with the understanding that the staff will then follow up for a post installation inspection, and that is to include any necessary staff within the town. The motion carried 6-0-1 (Coffing absent).

b. **THLP-2011-0077, (H-1 Overlay District), Applicant: Fabien Saeidi, Project: 15 Liberty Street. SW, addition of a white vinyl lattice railing to the front porch.**

Annie McDonald pointed out the area of the proposed renovation. The material involved is a single piece of plastic lattice stamped and molded to appear to be a traditional wood lattice. It has a grained finish not consistent with traditional lattice, and is molded in one piece rather than sections that wooden lattice would have. Staff is recommending denial of the railing.

The applicant said this was being done for safety purposes. Without this, the door opens directly onto the sidewalk, close to the roadway. He said when he purchased the home, there was a chainlink fence all around the house. He feels that the new material is much more attractive than what was used years ago.

Ms. Minchew asked if staff saw any railing appropriate, and if so, what would it look like? Annie McDonald said a railing could be appropriate if it designed like traditional design, e.g., individual ballisters with a square edge or rounded handrail. She would recommend a low ballistrade and not as high as 36". If this is for pets, then that height is not needed.

Mr. Koochagian asked what kind of gate could you use for a lower railing? Ms. McDonald said a moveable railing or sliding railing of consistent design.

Discussion

Ms. Minchew recommended that this be deferred for further information and to have the applicant work with staff to come up with an appropriate railing design.

Messrs. Reimers, Sisley, Koochagian and Meyer agreed with this proposal

Mr. Reimers moved to defer TLHP 2011-0077 for the applicant to further work with staff.
Ms. Minchew seconded the motion. The motion passed 6-0-1 (Coffing absent)

c. THLP-2011-0080, (H-1 Overlay District), Applicant: Paul Reimers, PR Construction and Development, Project: North Street, NE, new lot 3B

Chairman Meyer recused himself and turned the meeting over to Vice Chairman Sisley.

Ms. McDonald said this case was originally on the November 21st meeting but was deferred at the applicant's request prior to any Board discussion. She pointed out the proposed changes on aerial views of the property.

Ms. Minchew asked if they would be approving the colors, lighting and the doors and structure tonight also? On the front elevation will the shutters be sized as if they are going to close, as opposed to overlapping? Yes, they will be.

Mr. Sisley asked if any members of the public wished to speak on this case.

Ms. Andy Santucci, 208 Andover Court, had some questions. Both she and her neighbors have water problems in their backyards. She is curious if the 18" was going to be French drained so that there is no additional problem in her yard. Further she had asked the owner if he would consider putting up a privacy fence. He said he could consider it. Is the fence that was put up an example of what this will look like. She is requesting that the fence have a similar look to the ones already existing in the neighborhood.

Paul Reimers said there would be a whole drainage system that will be installed under the driveways to keep the water away from the backyards. Regarding the fence, it will pretty much match the existing fences.

Ms. Minchew is still concerned about the change in materials, noting that she would like to see them first.

Chairman Meyer said that he also had concerns and said they need to be able to review these carefully. He noticed a sill differential and is asking for more detail to be shown. He asked Mr. Reimers why the side windows were different. Mr. Reimers said that any place with shutters has brick mold, any areas without don't.

Mr. Sisley had no concern with the elevations on any side and agrees that it is a ground level entrance.

Ms. Minchew said the rear elevation does not read as a foundation and she is concerned about the visibility of the juncture. She feels it will be one side or the other. It was also noted that no fence was submitted with the application since that is administratively approvable.

Mr. Kiley mentioned that the motion suggests that this is going to come back to the BAR. Ms. McDonald said there is specific guidance being offered to the applicant that might warrant final review and approval by staff. Her recommended motion is to modify the design to incorporate a more traditional foundation material on the south elevation that is consistent with the design of the rest of the building. He wondered if this shouldn't be deferred until more specific details were provided.

Based on the facts that: the vacant lot on which the dwelling is to be erected in an area of the Old and Historic District with few historic contributing buildings aside from the early 20th century building at 211 North Street, NE; and the new building is generally consistent in size, scale, massing, setback, spacing, roof form and details with the historic building at 211 North Street, NE; and historic buildings generally in the Old and Historic District and the Design Guidelines state on page 109, do not use foundation materials that are inconsistent with the visual characteristics of traditional foundation materials in Leesburg; and the use of horizontal lap siding on the south foundation wall, while not generally consistent with the visual characteristics of traditional foundation materials is not inappropriate in this instance due to the lack of visibility of both surfaces from the public right of way and that there is a trim board along the parging, Mr. Koochagian moved to approve BAR case TLHP-2011-0080 on the conditions to follow: that a skirt board 8" in dimension will be applied at the intersection of the foundation and the siding on all four sides of the structure, and 5 quarter by four trim boards will be placed below the sill on all windows, and that specifications for windows, shutters, doors, railings, columns, metal roof will be submitted to staff for final approval. Ms. Minchew seconded the motion, and it passed unanimously 4-0-2-1 (Reimers and Myer recuse, Coffing absent).

d. THLP-2011-0092, (H-1 Overlay District), Applicant: Gregory Wigfield, Project: Demolition of the Manager's Cottage at Greenway Farm.

Ms. McDonald said this was first reviewed in August of 2009 at which time the applicant was proposing demolition of the Manager's Cottage because of engineering requirements for travel aisles and parking on the site. At that time the Board asked if the structure contributed to the historic character and integrity of Greenway Farm. Is this structure eligible for demolition? This is before the BAR this evening in advance of this going to the Town Council for approval. Ms. McDonald used aerials to point out the location of the building in relation to the other buildings on the property. Staff recommends approval of the demolition based on the fact that this is substantially a new building. One stipulation is that this may only be demolished if a building permit is issued for new construction should there be a desire to renovate the building to it's original state.

Greg Wigfield came forward and said that much of the work done on this building happened over the twenty to twenty-five years. He did ask how long a demolition permit was valid. Ms. McDonald said there is a two year sunset, however, provided there is land development approval being sought, an administrative extension can be obtained in six month increments.

Ms. Minchew asked if there was a specific building or the project in general. Should we tweak the wording to indicate that. Mr. Wigfield said the building would be going up in phases. Ms. McDonald said this should be tied to the grading permit. Ms. Minchew asked if the prior renovations were approved by the BAR. Ms. McDonald said she was not sure. Ms. Minchew pointed out that this was another case where unauthorized renovations rendered a building worthless historically.

Based on the facts that due to its change in use, additions and alterations and an extensive renovation on or before 2003, the building, though constructed in the early 20th century has lost integrity of feeling, design, materials, and workmanship on both the interior and exterior of the structure resulting in its loss of contributing status to the Greenway Farm property; and the applicant has thoroughly documented the interior and exterior of the structure in an intensive level architectural survey, Ms. Minchew moved to approve TLHP 2011-0092 on the condition that the demolition may occur only following receipt of any permits necessary to initiate phase II of the project. Mr. Sisley seconded the motion and it passed 6-0-1 (Coffing absent)

ADMINISTRATIVE APPROVALS

TLHP-2011-0085: 1002 East Market Street; new monument sign face

TLHP-2011-0088: 229 North King Street; new fence

TLHP-2011-0089: 113 Chesterfield Place; roof replacement

TLHP-2011-0090: East Market Street at the Bypass; new special events sign

Annie McDonald announced that she will be leaving her position as Preservation Planner with the Town of Leesburg to take a position in Asheville, NC. She explained that the January meeting will be her last with the BAR. She said that she has enjoyed working with current and former members of the BAR over the past six and a half years, but that she will be moving to North Carolina.

ADJOURNMENT: The meeting adjourned at 8:39pm

NEXT REGULAR BUSINESS MEETING:
Monday, 18 January 2011 at 7pm
25 West Market Street
Leesburg, Virginia

Dieter Meyer, Chair

Linda DeFranco, Acting BAR Clerk

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