



***LEESBURG BOARD OF ARCHITECTURAL REVIEW
WORK SESSION MINUTES***

Monday, 7 November 2011
Town Hall, 25 West Market Street
Council Chamber

MEMBERS PRESENT: Dieter Meyer, Chair; Jim Sisley, Vice-Chair; Richard Koochagian, Parliamentarian; Tracy Coffing; Edward Kiley

MEMBERS ABSENT: Teresa Minchew; Paul Reimers; Mary Harper, Planning Commission Representative; Marty Martinez, Town Council Representative

STAFF: Annie McDonald, Preservation Planner

Call to Order and Roll Call

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

Adoption of Agenda

On a motion by Jim Sisley and seconded by Tracy Coffing, the agenda for the November 7, 2011 BAR work session was approved. 5-0-2 (Minchew and Reimers absent)

BAR Member Disclosure

There were no disclosures

Deferred Cases/Referrals

None

Work Session Discussion

a. Annual Organizational Meeting

1. Adoption of 2012 Meeting Schedule.

Annie McDonald presented the 2012 schedule stating that it was determined based on the 2011 protocol, moving those dates that were affected by holidays.

Mr. Meyer asked if she made sure that there were no awkward dates, such as the day before Thanksgiving that occurred in 2010.

Tracy Coffing moved to adopt the 2012 meeting schedule as proposed. The motion was seconded By Richard Koochagian. The motion carried 5-0-2 (Minchew and Reimers absent)

2. Establishment of administrative priorities for 2012

There have been no priorities determined for 2012, however, the Board may want to consider the revision of the Guidelines, and the Code of Conduct that is still incomplete.

Mr. Meyer asked if the Preservation Plan would fall under this category. Ms. McDonald said yes. Since this could be budget related, it would need to be addressed within the budget process. This would require further discussion with the Director of Planning and Zoning since it would have an impact on staff resources, and further would need to go before Town Council. Mr. Meyer said they would like to work on this but have not because of staff cutbacks. If we aren't careful, more time will slip by and it will once again be unduly delayed. Mr. Meyer went on to state that he had a discussion

with Councilmember Martinez regarding staff cutbacks and how they are impacting the program. He feels that the highest priority is not being able to do the projects they want without proper staffing.

Regarding the Code of Conduct, there really is nothing to do but vote on it. Ms. McDonald said that she would have that available at the next meeting and they can comment and vote on it.

Tracy Coffing agreed that the administrative support needs to be there.

Annie McDonald said she would write this up and provide the report to Susan Berry Hill. Any administrative work of the Board is directly impacted by staff. Be it reviewing the guidelines, cleaning up certain chapters of the Guidelines, anything that needs to be addressed in documents will require staff resources

With regard to the H-2 Corridor Guidelines, it sounds as though the Form Based Code is working its way through the process of being rewritten because of a lack of resources. It is currently proposed that the size of the District has been reduced from the initial proposal, so there may still be a need for H-2 Guidelines if this program is going to continue and we agree that those Guidelines are outdated and don't help guide applicants to design in the District. This should also be on the list.

Annie McDonald said she needed to follow up on their recommendations for the Heritage Resources section of the Town Plan and the final document going forward to Council. It is different from the initial recommendation but does capture all the points the Board suggested during their review.

Mr. Meyer asked about joint meetings with the Planning Commission, the Economic Development Commission and the Environmental Advisory Commission. These have not happened, and they should. Ms. McDonald said the Commission Liaison Committee is discussing a quarterly Board Chair meeting, but this has not yet been finalized.

3. Creation of a Nominating Committee for 2012 Election of Officers

Chairman Myer commented that his term limit is approaching, so they will need to consider a new chairman the next time around. The By Laws state that there can be a committee of one and he would be happy to serve in that capacity. If that is agreeable, he urged everyone to contact him with suggestions for a slate of officers.

Jim Sisley moved to have Chairman Myer be the nominating committee for the 2012 slate of officers for the Board of Architectural Review. The motion was seconded by Tracy Coffing. The motion carried 6-0-1 with Paul Reimers absent.

4. Identification of Training Opportunities for 2012

Annie McDonald identified two opportunities that she felt were both relevant and important for the Board to consider attending, the first is the 2012 Forum by the National Alliance of Preservation Commissions, July 19-22 in Norfolk. The other one is the 2012 Preservation conference scheduled for September/October and will be held here in Leesburg.

Mr. Myer also suggested the series that occurs at the National Building Museum in Washington that he feels offers a wide variety of programming and exchange opportunity. Ms. McDonald said there are attendance requirements to complete the certified status for the Town. She went on to say that she will check funding availability.

There was discussion on some other potential conferences that will be in the area over the next few months.

b. Guidelines Discussion: Reconsideration of the design guidelines language on page 51: "Do not add dormers or other openings to the primary elevations of existing historic structures."

Annie McDonald explained her reasoning for her staff report, explaining the thoroughness of her evaluation. Mr. Reimers had forwarded his comments which said he understood the necessity for not wanting to alter the historic nature of primary facades, however he is of the mind that dormers were a traditional method in which light and space were added to structures and this has gone on for as long as there have been buildings, and he thinks that our drawing a line in the sand in saying after 2010 that dormers can be added to any primary façade, creates an arbitrary deadline in historic structures, and of the mind that you should allow the potential addition of dormers to the structures and evaluate them on a case by case basis and try to influence their design to the best they can be. I realize it may open the BAR to some criticism occasionally, but I think the strict prohibition of dormers goes too far, and he supports some modification of the existing guidelines to allow the addition of dormers to historic structures.

Chairman Myer started out by saying he does not disagree with the arguments made in the report. It is information that is generally understood. He said any prohibition that precludes any judgment would take away the flexibility of resolution. We don't always know the mitigating circumstances of cases.

Jim Sisley said this is preservation based design review. We have not gone down this path, however there is a page in the Secretary of Interior's Standards for restoration and guidelines for restoring historic buildings. It specifically speaks to restoration of a building to its most significant period in history. That is in part what was going on at 19 King Street. There were resources taken away from the building and there was a request to restore them. While we have a rich knowledge on this Board, it is not all encompassing and there are buildings that we don't know everything about. Why don't we consider giving a nod to restoration when a feature has been removed from a building and someone wants to replace it.

Annie McDonald explained that the Standards for Rehabilitation in the Secretary of Interior Standards is what the Guidelines are based on. These standards allow for flexibility in permissions if there is a foundation for it. Where there is clear evidence that you are recreating a lost feature, the Board could approve that.

Teresa Minchew stated that the main façade is the character defining feature, and in this case we would have to turn that around and say it is not the character defining feature. Mr. Myer said it would depend on the alteration, is it so drastic, or is it minimal so that it doesn't change the character? It doesn't have to meet every guideline. He mentioned a case where the Board found several features that weren't totally in compliance, but because of other mitigating factors, the Board approved a design. Following further discussion on this, the Board moved on to discussion on net gain. Again, are dormers a defining feature of a building. The answer is yes. Discussion is now centering around adding a character defining feature to a building if it's other than restoration of a feature that had been removed. Mr. Myer stated that an out and out prohibition against anything is objectionable. Teresa Minchew agreed that we need to have that option for flexibility to accommodate instances where exception to the rule may arise.

Annie McDonald feels that the guidelines allow the flexibility within their context. Perhaps more clarity in the language regarding expectations and communicating to applicants what is thought to be appropriate or inappropriate with more specificity within each section. She has concern about fuzzy circumstances the Board may not be able to see now, but what happens if a decision is appealed. She referred to a case in Danville regarding a front door. If a board decision is going to be based on something legally defensible, it needs to be based on context, authenticity, something really substantial to be defensible in the eyes of the court.

Chairman Meyer said if, over the course of the year we pick up other information, we can revisit this later on. Annie McDonald said she could give the Guidelines a closer review and point out the blanket statements and perhaps suggesting language that can add to the clarity of the intent in the Guidelines. It was suggested that perhaps a subcommittee be assigned to re look at the Guidelines. It was agreed that this could be a good idea.

There was some commentary on who uses the Guidelines and to what extent.

Annie McDonald then reviewed the upcoming agenda for the November 21, 2011 Business Meeting. Chairman Meyer said he would get his suggestions for the consent agenda out early and asked the other members to contact Ms. McDonald with any questions they might have regarding putting items on the consent agenda.

ADJOURNMENT: The meeting adjourned at 8:12 pm

NEXT REGULAR BUSINESS MEETING:

Monday, November 21, 2011 at 7pm
Council Chambers
25 West Market Street
Leesburg, Virginia

Dieter Meyer, Chair

Linda DeFranco, Acting BAR Clerk

