

Historic District Review Board

Cape Charles Civic Center – 500 Tazewell

Regular Session Agenda

January 17, 2017 6:00 P.M.

1. Call to Order; Roll Call
2. Invocation and Pledge of Allegiance
3. Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
4. New Business
 - A. Application for Certificate of Appropriateness for 204 Jefferson Avenue\lot 221 – new construction of single-family dwelling.
 - B. Procedural requirements for expanding the Historic District footprint and including additional historic sites.
5. Old Business
 - A. Review of draft paint structure, and residential heritage and specimen tree sections language for revised Guidelines document.
6. Announcements – CAMP follow-up work session Wednesday January 18th 4:00 pm in Town Hall.
7. Adjourn



DRAFT
HISTORIC DISTRICT REVIEW BOARD
Regular Meeting
Cape Charles Civic Center
November 15, 2016
6:00 p.m.

At approximately 6:00 p.m. Chairman Joe Fehrer, having established a quorum, called to order the Regular Meeting of the Historic District Review Board (HDRB). In addition to Joe Fehrer, present were John Caton, Terry Strub and Sandra Salopek. David Gay was not in attendance. Also in attendance were Town Planner Larry DiRe and Assistant Town Clerk Tracy Outten. The applicants and one other member of the public were in attendance.

Chairman Joe Fehrer started the HDRB Regular meeting with a moment of silence and the recitation of the Pledge of Allegiance.

CONSENT AGENDA:

Motion made by Terry Strub, seconded by John Caton, to accept the agenda as presented. The motion was unanimously approved.

The HDRB reviewed the minutes from the September 20, 2016 Regular Meeting.

Motion made by John Caton, seconded by Terry Strub, to accept the minutes of the September 20, 2016 Regular Meeting as revised with a word change on page two. The motion was unanimously approved.

NEW BUSINESS:

A. *Application for Certificate of Appropriateness for 204 Washington Avenue – new construction of single-family dwelling*

Applicant, Spencer Custis, gave an overview of the proposed plans. The board discussed with the applicant changing the chimney material to masonry or brick veneer and the inappropriate shape of the round window in the district.

Motion made by John Caton, seconded by Terry Strub, to approve the Application for the Certificate of Appropriateness for 204 Washington Avenue as proposed with the exception of using different material for the chimney and changing the shape of the round window to a conforming shape commonly found in the district. The motion was unanimously approved.

B. *Application for Certificate of Appropriateness for 639 Monroe Avenue – demolition of rear utility room and new construction of rear addition bedroom and bath*

Contractor Bill Manning gave an overview of the proposed addition. Joe Fehrer asked if the original siding would stay to which he responded in the affirmative.

Motion made by Terry Strub, seconded by John Caton, to approve the Application for the Certificate of Appropriateness for 639 Monroe Avenue as presented. The motion was approved by unanimous vote.

OLD BUSINESS:

There was no old Business to review.

Chairman Joe Fehrer thanked the board and staff for attending the October CAMP training.

ANNOUNCEMENTS:

National Register survey update meeting Tuesday, December 20, 2016

Terry Strub and Sandra Salopek would be out of town and suggested changing the December meeting day.

Motion made by Sandra Salopek, seconded by Terry Strub, to change the meeting date and time from Tuesday, December 20, 2016 at 6:00 p.m. to Tuesday, December 13, 2016 at 5:00 p.m. The motion was unanimously approved.

Larry DiRe announced the Town Council and Planning Commission Joint Public Hearing to discuss the Comprehensive Plan would be on Tuesday, December 6, 2016 at 6:00 p.m.

Joe Fehrer suggested a HDRB Work Session in January to discuss the CAMP training.

David Gay's comments submitted by email are attached as requested by Joe Fehrer.

Motion made by Sandra Salopek, seconded by Terry Strub, to adjourn the Historic District Review Board Regular Meeting. The motion was unanimously approved.

Chairman Joe Fehrer

Assistant Town Clerk

From: [David Gay](#)
To: [Joseph Fehrer](#)
Cc: [Tracy Outten](#); [John Caton](#); [Sandra Salopek](#); [Sandra Salopek](#); [Terry Strub](#); [Larry DiRe](#)
Subject: Re: 11-15-2016 Historic District Review Board Meeting Agenda Packet
Date: Tuesday, November 15, 2016 3:36:57 PM

I am in Asheville, NC and will not be attending the meeting. I don't see any changes in the minutes or the agenda. New construction looks appropriate for the historic district. Would like to discuss expanding the historic district next meeting. See y'all soon.

Sent from my iPhone

On Nov 8, 2016, at 5:50 AM, Joseph Fehrer <jwfehrer@gmail.com> wrote:

Tracy,

I'll be there...

Thanks,

Joe

J W Fehrer, Sent from my iPad
410-430-1743 (mobile)

On Nov 7, 2016, at 12:02 PM, Tracy Outten <tracy.outten@capecharles.org> wrote:

Good afternoon.

The Historic District Review Board Meeting Agenda Packet for Tuesday, November 15th is attached.
We will be meeting in the Cape Charles Civic Center at 6:00 p.m.

Please let me now if you will be attending.

Thanks you and see you Tuesday.

Have a nice day,
Tracy



DRAFT
HISTORIC DISTRICT REVIEW BOARD
Regular Meeting
Cape Charles Civic Center
December 13, 2016
5:00 p.m.

At approximately 5:00 p.m. Chairman Joe Fehrer, having established a quorum, called to order the Regular Meeting of the Historic District Review Board (HDRB). In addition to Joe Fehrer, present were John Caton and Terry Strub. David Gay and Sandra Salopek arrived after roll call. Also in attendance were Assistant Town Manager Bob Panek, Town Planner Larry DiRe and Assistant Town Clerk Tracy Outten. Mr. Marcus Pollard, the applicants and one member of the public were in attendance

Chairman Joe Fehrer started the HDRB Regular meeting with a moment of silence and the recitation of the Pledge of Allegiance.

CONSENT AGENDA:

Motion made by Terry Strub, seconded by John Caton, to accept the agenda as presented. The motion was unanimously approved.

The HDRB reviewed the minutes from the November 15, 2016 Regular Meeting.

Motion made by John Caton, seconded by Terry Strub, to defer the minutes of the November 15, 2016 Regular Meeting until the December meeting. The motion was unanimously approved.

NEW BUSINESS:

A. *Application for Certificate of Appropriateness for 535 Plum Street – contributing structure single-family dwelling: replace roof, siding, windows, doors, back step, repair front porch.*

Applicant, James Wood, gave an overview of the proposed plans. Joe Fehrer briefly discussed materials being used with the applicant.

Motion made by Terry Strub, seconded by John Caton, to approve the Application for the Certificate of Appropriateness for 535 Plum Street as proposed. The motion was approved by unanimous vote.

B. *Application for Certificate of Appropriateness for 401 Mason Avenue – contributing structure commercial building: roof, masonry repair, exterior painting, garage door replacement, Brise soleil wooden louvers installation, accessibility ramps and platforms.*

Applicant Beth Ann Sabo gave a brief history of the purchase of the store and an overview of the proposed renovations.

Motion made by David Gay, seconded by Terry Strub, to approve the Application for the Certificate of Appropriateness for 401 Mason Avenue as proposed. The motion was approved by unanimous vote.

OLD BUSINESS:

- A. *Review of 204 Washington Avenue application for chimney cladding on new construction of single-family dwelling*

The board discussed the application, again.

Motion made by Joe Fehrer, seconded by David Gay, to allow round decorative window as shown in applicants building plans and stand by the Historic District review Board's decision for proposed chimney to be masonry or masonry clad. The motion was unanimously approved.

- B. *Set date for CAMP follow-up work session*

The board discussed to tow dates; January 18th or January 20th. Town staff will check the availability of the Cape Charles Civic Center to determine the date.

ANNOUNCEMENTS:

There were no announcements.

PRESENTATION:

Mr. Marcus Pollard on updated Historic District Register Survey project

Mr. Pollard explained the process of updating the Historic District Register for Cape Charles.

Motion made by Joe Fehrer, seconded by Terry Strub, to adjourn the Historic District Review Board Regular Meeting. The motion was unanimously approved.

Chairman Joe Fehrer

Assistant Town Clerk

Historic District Review Board Staff Report

From: Larry DiRe 
Date: January 17, 2017
Item: 4A – Application for Certificate of Appropriateness 204 Jefferson Avenue\lot 221
– construction of new single-family home

Attachments: Application, elevations with notations, vicinity map.

Application Specifics

An application has been received for a Certificate of Appropriateness from the property owner for new construction of a single-family home at 204 Jefferson Avenue\lot 221. The proposed building is a single-family home, built on a conforming size lot. The building footprint meets the setback\prevailing standard requirements of the zoning ordinance. This is a two-story, 2765 square-foot (including porches), stick-built home and will have Hardie board siding. A screened in back porch is proposed, and the roof pitch is 10:12, with the dormer roof at 4:12. The building is proposed to have a metal roof. A full foundation with a stucco finish is proposed and conforms to the *Guidelines* treatment of masonry (page 50).

Discussion

The applicant has presented a comprehensive set of elevation drawings with notations, and a listing of plan details. The building height limit, roof pitch, and front porch width conform to the zoning ordinance requirements. The applicant proposes to screen-in the back porch. The drawing shows a pergola and references a landscape plan. According to the builder, the pergola is not going to be built, and landscape plan review is not required for the Certificate of Appropriateness but may be considered (*Article VIII, Section 8-27*). The siding, while synthetic, is found throughout the Historic District. The six-over-one window type shown is found throughout the District and is specifically cited in the *Guidelines'* Windows and Doors section (page 38, *Double-hung window and sash*).

Recommendation

Review the attached materials and discuss any questions or concerns regarding the application. Decide whether the board finds that a Certificate of Appropriateness is approved for the application.

Application for Historic District Review

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

Date: 1-10-17

Permit No.: _____

* Please attach checklist items

Fee: \$100.00

Modification Fee: \$50.00

Special Meeting Fee: \$125.00

Applicant: Thomas A. Arnold Signature: [Signature]
Address: 6417 Riverside Ln City: Franktown State: VA Zip: 23354
Telephone: 757-442-7081 Cell: 757-999-7081
Email: SAURDIST16@VERIZON.NET

Owner(s): Beverly Steffey
Address: 37 Lake Village Dr. City: Durham State: N.C. Zip: 27713
Telephone: _____ Cell: _____
Email: BEVERLY.STEFFEY17@gmail.com

Contractor: Thomas A. Arnold Inc
Address: 6417 Riverside Ln City: Franktown State: VA Zip: 23354
Telephone: 757-442-7081 Cell: 757-999-7081
Email: SAURDIST16@VERIZON.NET

Town License No.: 16-0837 State License No.: 2705056574 Exp. 7-31-18
CLASSIFICATIONS CBC REC

Location of Improvement: 204 JEFFERSON
Lot No.: 221 Block No.: _____ Lot Size: _____ Lot Area: _____
Type of Improvement: Construction of New Home

Proposed Use: Residential
Estimated Construction Costs: \$400,000.00

Dimension of Structure or Improvement:
Width: 28' Length: 74' Height: 26'
Total Square Footage: 2,765 includes porches

Structure of Improvement will be set back:
30' or prevailing from front property line
6' from side property line
21'+ from side property line on corner lot
from rear property line
from alley

Town Water Permit: _____ Town Sewer Permit: _____

Application for Historic District Review

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

Applicant Checklist:

These items must be submitted to the Town Planner no later than 14 days prior to the Historic District Review Board meeting. The Historic District Review Board meets the third Tuesday of each month.

- Completed signed application
- Application fee payable to "Town of Cape Charles"
- Site plan for any project proposing to alter the principal or accessory building footprint
- Scale drawings drawn to an appropriate scale of the site depicting the affected property and all buildings/structures
- Photos of existing/current structure
- Photos illustrating proposed project
- Material list (if applicable) including building materials, product descriptions and specifications

CERTIFICATION OF APPLICANT

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer, and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

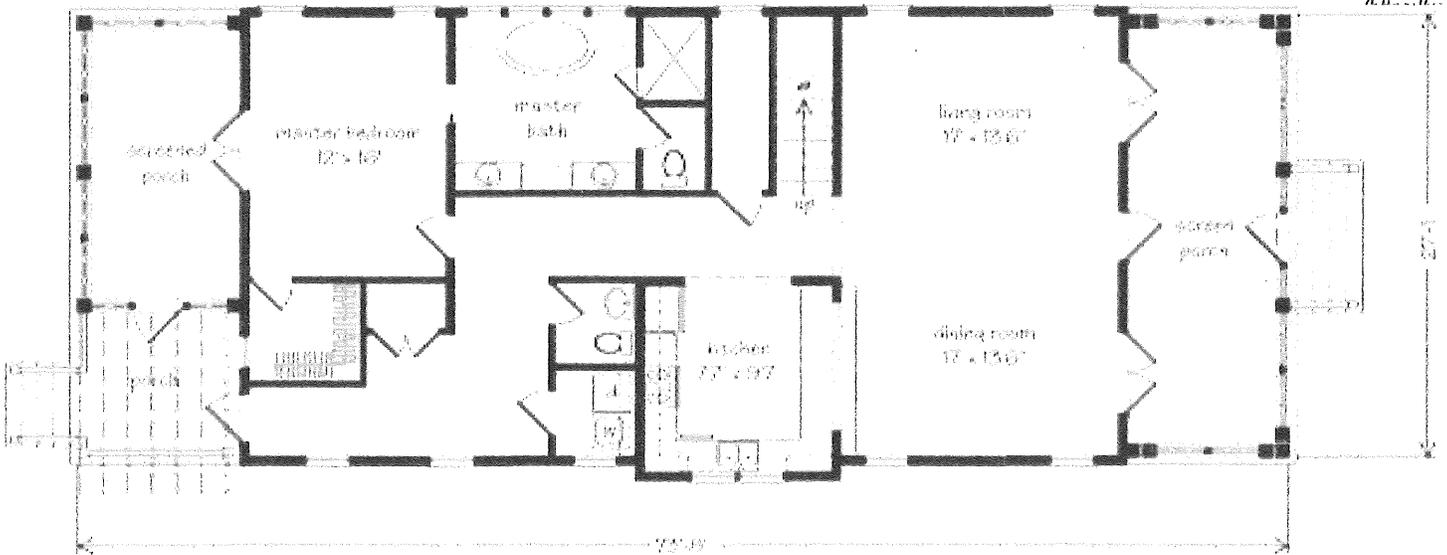
I understand that delinquent real estate taxes must be paid before any permits will be issued per Cape Charles Town Code Sec. 66-4.

I acknowledge that I have received the checklist of items to be submitted to the Town Planner for Historic District Review Board review. Failure to comply could result in delayed application review.

Signature of Owner/Contractor: Thomas A. Arnold Inc., 

Mathews Court

Plan SL-1456

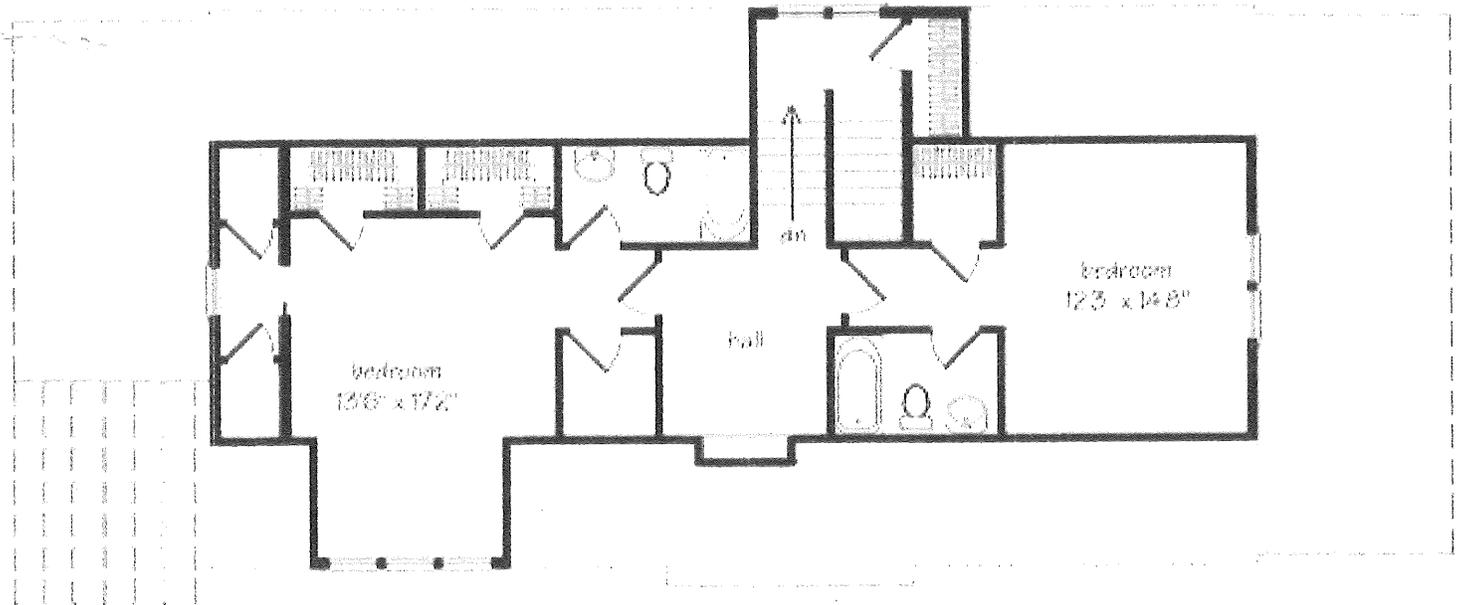


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SL-1456 | SHARE

Plan Details

BASIC

Bedrooms: 3 actual, 3 possible
Baths: 3 full, 1 half
Floors: 2
Garage: 0
Foundations: Crawlspace
Master Location: Main Floor
Laundry Location: Main Floor
Fireplaces: 0

STYLE / INFLUENCES

Country, Southern

KITCHEN FEATURES

MASTER SUITE FEATURES

Walk-in Closet, Dual Sinks, Shower, Tub, Outdoor Access, Private Toilet

ADDITIONAL FEATURES

Porch

SQUARE FOOTAGE

Main Floor: 1491
Upper Floor: 767
Total Heated Square Footage: 2258

DIMENSIONS

26'- 0" W x 0'- 0" D x 26'- 0" H

PLATE HEIGHTS

Main Floor: 9.6'
Upper Floor: 8.0'

CONSTRUCTION

Ext. Wall Construction: 2x6
Roof Framing: Gable

DESCRIPTION

OTHER PLANS BY BENJAMIN SHOWALTER (/SEARCH?VENDOR=207)

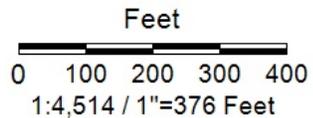
Northampton County, Virginia

Legend

- Parcels
- Building Footprints



Map Printed from Northampton
<http://northampton.mapsdirect.net/>



Title: Parcels

Date: 1/10/2017

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.

Historic District Review Board Staff Report

From: Larry DiRe 
Date: January 17, 2017
Item: 4B – Procedural requirements for expanding the Historic District footprint and including additional historic sites
Attachments: Relevant zoning ordinance sections

Discussion

Several months ago a Board member requested a discussion of expanding the Historic District. A survey of contributing structures is essential to an accurate District footprint. Currently the Town is having the 1989 National Register of Historic Places survey update through a grant from the Virginia Department of Historic Resources. Upon completion of that survey, scheduled for late spring 2017, expanding the District can be considered with the most current, accurate information about contributing and non-contributing structures.

Recommendation

Provided for informational purposes. Following discussion determine if updates are needed and provide direction to staff.

Town of Cape Charles
Article VIII
Historic District Overlay

Section 8.1 Purpose of the District

The purpose of this district is to provide for protection against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of recognized architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is the purpose of the district to preserve the designated historic areas and historic landmarks and other historic or architectural features, and their surroundings within a reasonable distance, from destruction, damage, defacement, and obvious incongruous development or uses of land and to insure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the general area in which they are located and with the historic buildings or structures within the district.

Section 8.2 Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

Section 8.15 Summary of Administration Review Procedures

In general it is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District which will be relatively simple with minimum delay for those actions which will have little if any permanent effect on the character of the historic district or on a significant structure but to require a more thorough review for actions which may have a substantial effect on the character of the district or on a significant structure. To this end, some actions are exempted from special historic and architectural review altogether, except as normal review may be necessary for issuance of a building permit. Other actions, depending on the possible consequences thereof, may be reviewed by the Zoning Administrator or by the Historic District Review Board acting with original jurisdiction, or, in the most serious cases, action by the Town Council following action by the Historic District Review Board. In all cases the decisions of the Zoning Administrator may be appealed to the Historic District Review Board, the decisions of the Historic District Review Board may be appealed to the Town Council, and the final decisions of the Town Council may be appealed to the Circuit Court of Northampton County.

Section 8.38 Definitions

For the purpose of this article, certain terms and words pertaining to the Historic District are hereby defined. The general rules of construction contained in Article II of this Ordinance are applicable to these definitions.

CONTRIBUTING PROPERTIES are those properties constructed fifty (50) years or more ago.

HISTORIC DISTRICT means an area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.

HISTORIC LANDMARK is defined as any building or place listed on the National Register of Historic Places or on the Register of the Virginia Historic Landmarks Commission.

Historic District Review Board Staff Report

From: Larry DiRe 
Date: January 17, 2017
Item: 5A – Guidelines update
Attachments: Historic District Guidelines draft paint structure, and residential heritage and specimen tree sections language for revised Guidelines document.

Discussion

The Historic District Review Board is doing an on-going review of the current Historic District Guidelines document. The attached documents were drafted by the Board chairman and are for review.

Recommendation

Following discussion determine if updates are needed and provide direction to staff.

The color of a building is, perhaps, it's most dominant visual characteristic. The color of a building can enhance or detract from its own architectural characteristics as well as neighboring structures.

Changes in technology and architectural preferences in the mid-to-late 19th century combined to greatly broaden the color spectrum and by the late 19th century there was a preference for a dark color palette. Color preferences changed again in the early years of the 20th century to reflect a lighter color palette.

As part of the Guidelines review process, the Historic District Review Board has developed a suggested Color Chart, which should be consulted to assist in determining appropriate colors for homes in the historic district. The Board strongly urges home and business owners in the district, who will be painting their building to make use of this information.

The Board furthermore activity discourages painting a building, or its trim, a clearly inappropriate color.

Examples include but are not limited to:

- 1) The use of paint to create artificial architectural elements
- 2) The use of day-glow, neon, metallic colors and colors that, either alone, or in combination, create a "garish" or a particularly contrasting effect.
- 3) Avoid repetition of primary colors on the body of the building on a given street and block if at all possible.
- 4) The Board also suggests that if planning a dramatic change of color, it may be appropriate to check with your immediate neighbors.
- 5) The Guidelines clearly state that in all cases painting a previously unpainted masonry surface, no matter the color, requires review by the Board and a Certificate of Appropriateness.

The Board also strongly suggests painting structures in the district a color appropriate to the historical period and reflective of their architectural style.

In addition, the Board reserves the right to review paint colors in instances where the new color is so clearly inappropriate as to constitute alteration of the architectural character of the building.

The Town of Cape Charles has a “Tree Conservation and Preservation Ordinance”; Appendix F Articles I and II, located in the Towns Zoning Ordinance.

It is not the intent of the Historic District Review Board to confer to itself regulatory or punitive actions regarding Heritage or Specimen trees, but rather to provide context and clarification for property owners in the District when restoring, remodeling or building on their property.

The purpose of this inclusion into the Historic District Guidelines is to inform and educate property owners of the need to identify, maintain and protect large and outstanding Heritage and Specimen trees and the associated benefits these trees provide. The removal of these trees, if healthy and sound decrease the aesthetic and environmental quality for individuals and community. These trees are also an important habitat for many wildlife species in an urban setting.

The large and exceptional trees growing in the District are generally of great age and size for their species and represent an historic association with the Town. In short, these trees are part of the historic “fabric” of the District and as such should be protected and preserved to the greatest extent possible.

Heritage and Specimen trees generally follow these criteria:

- 1) Be true to its genetic form, not topped or poorly pruned (if outside of utility easements) and structurally sound.
- 2) Be of mature size and form, in healthy condition, free of disease, insect infestation and storm damage.
- 3) Should be visible from publically accessible locations.

Private property: any tree with a DBH (Diameter Brest Height) of more than 30” located on any private lot(s) within the District and outside of the street or alley row-of-way

Public property: any tree with a DBH (Diameter Brest Height) of more than 30” located on lands owned by the Town, VDOT or other governmental bodies within the District.

Heritage Trees: Any native [or street] tree that may have notable historic or cultural interest.

Specimen trees: Any tree by virtue of its outstanding size and quality for its particular specie, taking into account its circumference (feet and inches) height (feet) and crown spread (feet).

The benefits of urban forests, also referred to as community forests, are far-reaching. The social, health, wildlife and economic benefits attributed to urban forests are definitely worth considering in all communities. There is also a growing awareness that integrating urban forests into our communities offer many significant natural benefits. Urban forests address our desires of providing sound economic benefit, aesthetic value, improved air and water quality, health benefits and wildlife habitat among other things.

Large mature trees with a healthy crown spread can reduce summer season energy costs, reduce noise levels, improve property values and increase water retention thereby helping to slow and reduce localized flooding.

DRAFT

REFERENCE MATERIAL: from VA Dept. of Forestry

<http://www.dof.virginia.gov/tree/care/index.htm>

<http://www.dof.virginia.gov/tree/care/how-to-prune.htm>

<http://www.dof.virginia.gov/tree/care/damage-prevention.htm>

http://www.dof.virginia.gov/print/trees//handout_Reasons-To-Prune.jpg

http://www.dof.virginia.gov/print/trees/handout_How-To-Kill-A-Tree.jpg

http://www.dof.virginia.gov/print/trees/handout_Plant-Right-Tree-Right-Location.jpg

http://www.dof.virginia.gov/print/trees/handout_Step-By-Step-Tree-Planting.jpg

REFERENCE INFORMATION for the HDRB: from The International Society of Arboriculture

<http://www.isa-arbor.com/education/onlineResources/treeOrdinanceGuidelines.aspx>

Defining special trees: heritage, historic, and landmark trees

As noted in our discussion of provision 31, individual trees may be considered important community resources because of unique or noteworthy characteristics or values. Such trees have been described in ordinances as heritage, historic, landmark, legacy, special interest, significant, or specimen trees or various permutations of these terms (e.g., heritage oak, exceptional specimen tree). In some ordinances, trees are simply labeled protected trees (i.e., trees afforded protection by the ordinance). Regardless of the term used, the concept is the same: trees with certain characteristics are singled out for special consideration in the ordinance. Most commonly, one or more of the following criteria are used to define a special status tree: **Size** - Some component of tree size, most frequently trunk diameter, may be used to define a special status tree. Most commonly, a given diameter at 4.5 ft above grade (i.e., diameter at breast height or DBH) is used as the size standard. Additional rules are typically needed to handle trees that are multi-trunked or branch below 4.5 ft. Because the relationships between DBH and canopy spread or DBH and tree age vary by species, different tree diameter standards may be applied to different species.

Although a tree diameter standard is fairly objective, the threshold diameter is often set more or less arbitrarily. As such, management decisions based solely on a threshold diameter may not be particularly logical. For example, if the threshold diameter for protecting a tree is 24 inches DBH, a tree with a diameter of 23.9 inches would be ignored, even though it might have a greater canopy spread than a tree with a larger DBH. Furthermore, the measurement of DBH with standard equipment such as diameter tapes or calipers is subject to errors related to trunk or bark irregularities and minor shifts in the location of the measuring device. A tree with a DBH measured as 24.2 inches by one observer could be measured at 23.5 inches by another observer. These problems are minimized when small threshold diameters (e.g., 3 inches) are used. Other components of tree size, such as maximum canopy spread or height, may also be considered independently or in conjunction with tree diameter.

The National Register of Big Trees, maintained by American Forests, uses a point system to rate tree size. Points for each tree are calculated by summing trunk circumference (at 4.5 ft) in inches, tree height in feet, and one-quarter of the average crown spread in feet. This system is used to determine "champion" trees for each species. Some ordinances expressly confer special tree status on state or national champion trees. More local "champion" trees could be defined using the same methods.

Species - Special status may be conferred only to certain species of trees. Special status trees are often, but not always, important locally native species or trees that are associated with the character of a community. Certain species that are relatively rare in an area, whether native or not, may also be granted special status. In some cases, species is used to specifically exempt certain trees from special status regardless of size. For instance, weedy trees such as tree-of-heaven (*Ailanthus altissima*) or trees used for commercial purposes (e.g., fruit trees, plantation lumber or pulp trees) may be excluded from consideration as special status trees. Unless interspecific hybrids are present in an area or the taxonomy of a species changes, species is probably the most objective criterion used in defining special status trees.

Age - Especially old trees are a link to the past, so many definitions of special status trees include age as a criterion. In practice, tree age is fairly difficult to determine in standing trees unless documentation of tree age exists from historical accounts, photographs, or associations with historical structures. Tree age is sometimes inferred from tree size, especially DBH. However, the relationship between age and DBH varies with species, site quality, management history, and other factors, so DBH is usually only a crude estimator of tree age. Determining age by increment boring is theoretically possible, but is potentially damaging to the tree and is fraught with difficulties if trees are large, have very hard wood, or are decayed in the center.

Historic significance - A tree may be associated with a notable local or regional historical event, person, structure, or landscape. Almost every tree that has been around for a while has some historical significance, whether it is recognized or not. Determining whether the historical significance of a given tree is sufficiently notable is therefore a subjective matter. Historic tree status is typically granted by a governing (e.g., city council) or advisory body (e.g., tree commission). Some ordinances automatically confer historic status on trees designated as historical landmarks by certain other organizations (e.g., historical societies). In addition, ordinances may assign special status to trees dedicated or planted as public memorials.

Ecological value - All trees serve a variety of ecological functions. Certain trees or groups of trees may have especially high ecological value because of their location, size, species, and/or condition. For example, a given tree may be an important roost, nesting site, or food source for certain wildlife species; it may be situated in a site where it plays a critical role in stabilizing soil or providing shade needed by other plant or animal species; it may be an important genetic resource for a local tree population or the species as a whole. Input from trained biologists and ecologists may be necessary to document particular ecological values that may not be obvious to the general public.

Aesthetics - Since beauty is in the eye of the beholder, assigning special status on the basis of aesthetics is always highly subjective. A tree may have special aesthetic value due to its form, whether it is especially perfect and symmetrical or notably craggy and idiosyncratic. Also, the function that a tree serves in a landscape may be sufficient to justify special status; for example, a landmark pair of trees that frame an entrance. In the absence of other noteworthy characteristics, it may be contentious to base special status upon aesthetics alone.

Location - Trees in particular locations may be accorded special status in recognition of the important aesthetic or ecological functions that they serve. Proximity to a thoroughfare can be used to classify a tree as a street tree, which may be accorded special status whether or not it is in the public right-of-way or is under public or private care. Trees located along or within a set distance from watercourses may also be given special status due to their importance in stabilizing streambanks or providing shaded riverine habitat. In some cases, the location of a tree is considered in conjunction with size or species parameters.

Required plantings and retained trees - If trees have been preserved or planted as a requirement of development, the community has a vested interest to ensure that the trees are protected. The purpose of planting and tree retention is to develop mature tree canopy, and this cannot occur if the subject trees are

eliminated, ruined by topping or other poor maintenance practices, or replaced frequently with young trees. By explicitly providing special status to such trees in the ordinance, a jurisdiction may be able to provide a higher level of regulatory protection to such trees and increase the penalties associated with unauthorized damage to or removal of the tree.

Other unique characteristics - This grab-bag term may be added to the list of criteria used to designate special status trees because it is difficult to anticipate all possible situations of significance. For example, a given tree may become a local or regional cultural icon due to an event or apparition that is associated with it. This criterion will again be subjective and typically may be invoked through the approval of a governing body.

DRAFT