



HISTORIC DISTRICT REVIEW BOARD

Regular Meeting

Town Hall

July 16, 2013

4:30 p.m.

At approximately 4:30 p.m. Chairman David Gay, having established a quorum, called to order the Regular Meeting of the Historic District Review Board. In addition to David Gay, present were Joe Fehrer, Terry Strub and Ted Warner. John Caton arrived at approximately 4:32 p.m. Also in attendance were Town Manager Heather Arcos, Town Planner Rob Testerman, Assistant Town Clerk Amanda Hurley and applicant Andy Spagnuolo of 114 Randolph Avenue. There were approximately two members of the public in attendance.

The Board observed a moment of silence which was followed by the recitation of the Pledge of Allegiance.

CONSENT AGENDA:

There were no changes to the agenda.

Motion made by Joe Fehrer, seconded by Terry Strub, and unanimously approved to accept the agenda as presented.

The Historic District Review Board reviewed the minutes of the June 18, 2013 Regular Meeting.

Motion made by Joe Fehrer, seconded by John Caton, to approve the minutes of the June 18, 2013 Regular Meeting as presented. The motion was unanimously approved.

NEW BUSINESS:

A. *114 Randolph Avenue – Garage addition, porch enclosure:*

Rob Testerman explained that the application for 114 Randolph Avenue was for a second floor garage addition and rear porch addition and enclosure and went on to state that the original application had been submitted in 2011 and approved by the HDRB, but construction had never started and consequently the Certificate of Appropriateness expired after one year so the applicant was reapplying for the Certificate of Appropriateness with a few minor changes to the plans that were originally approved. The home was built in 2005 and was not a contributing structure. The additions would be constructed to match the existing house with the current siding, doors and windows. Rob Testerman presented a larger set of plans to the Board, indicating that the drawing on the left represented the existing conditions. The middle drawing was the proposed second floor of the garage. The garage roof was proposed to be slightly lower than the original proposal and the stairs leading to the second floor were proposed to be on the exterior and Rob Testerman explained that this was allowed under zoning and made note that this addition was not considered a dwelling because it didn't have a kitchen. The drawing on the right depicted the proposed rear porch enclosure and addition. The Board thanked the Planner for the drawings on the photos that showed the proposed changes. Rob Testerman stated that the applicant was present to answer any questions.

Ted Warner asked the applicant how many feet were between the garage and porch in the backyard and Andy Spagnuolo stated it was 15 feet and would remain that way. Ted Warner stated that he had no concerns. John Caton asked why the stairs were proposed to be inside originally, but were now proposed to be on the outside and Andy Spagnuolo explained that the waste line from the bathroom to the clean out would have to go ninety degrees twice or it could go in almost a straight line with the stairs on the outside.

Motion made by Terry Strub, seconded by John Caton, to approve the garage addition and rear porch enclosure for 114 Randolph Avenue. The motion was unanimously approved.

OLD BUSINESS:

A. HDRB By-Laws Change

Rob Testerman explained that at the June meeting, the Board had discussed holding a public hearing to change the meeting time from 4:30pm to 5:00pm. However, it was later learned that no vote was taken on that motion and therefore a public hearing was not scheduled. Rob Testerman stated that the By-Laws had not been updated since 2006 and it would be a good idea to review them and take all the changes to one public hearing which would help save on advertising costs. Rob Testerman had been researching By-Laws of other localities to bring ideas to the Board.

Section 7-5 of the By-Laws stated that "The Board shall retain the option to invite public comment by those present at a business meeting at such times as the Board deems necessary" and Rob Testerman noted that the Board's decision was based on the architectural aspects of a building and not feelings of what the building was or what it would be used for and that the decision should relate to the guidelines and architectural standards. Ted Warner commented that he would welcome anyone who had historical knowledge of a building, but that he recognized the point the Planner was making and he didn't see why a By-Law couldn't instruct a Chairman to control public comment within certain guidelines.

Rob Testerman suggested the Board review their By-Laws and let him know what items needed updating so he could research alternatives. David Gay recommended giving the Board more time to read through the By-Laws before jumping into a discussion. Rob Testerman stated that he had been reviewing By-Laws of other localities including Isle of Wight, Stafford County, Roanoke and two others and would email these to the Board. David Gay asked why Smithfield was referred to often and Rob Testerman explained that the Historic District Ordinance was modeled after Smithfield's because of similarities in size and population.

Joe Fehrer felt that if the Chair deemed public comment appropriate, there needed to be a limitation on time and comments should be pertinent to the application and directed to the Board and not to the applicant. Ted Warner suggested that the Chair could read a statement to each public person who wanted to comment. David Gay asked if this was something that should be changed in the By-Laws or added to the Guidelines and gave an example stating that each person who wanted to comment would have three minutes and they would address the Chair or the Committee specifically about an architectural feature. David Gay pointed out that it was not a venting session or time to question the applicant. Rob Testerman recommended adding these changes to the By-Laws.

Ted Warner pointed out Article Three and stated that it should be more specific and also pointed out that elected officers served a one year term, but their re-election was not specified. Terry Strub noted that the Board was out of time sync and asked where their year began. David Gay stated that they could wait until February for the election to get them back on schedule.

Terry Strub recommended the Board review Section 2-5 where it stated "All former members of the Board are eligible to be alternates to present Board members." Heather Arcos stated that she was not aware of this ever being done. Typically, there was always a quorum even if a member was not able to attend. The Board agreed to delete this Section.

Ted Warner suggested adding a time period that would require the By-Laws to be reviewed and the Board agreed that every five years would suffice.

David Gay informed the Board that at the Town Council meeting, it was suggested that the HDRB meet at 6:00pm in which he had no objections to. Joe Fehrer expressed his concern for the staff and their availability and Heather Arcos pointed out that the Town Council, Planning Commission and Harbor Area Review Board all met at 6:00pm. Terry Strub commented that perhaps it was the Board's preference because there were often many items on the agenda that the Board needed to go through and review carefully and the later it got, the more tired people became and this could result in items being rushed through. There was much discussion regarding the time, but the general consensus of future meetings was to change the time to 6:00pm.

Joe Fehrer asked if the Board could hold multiple meetings if there was an overwhelming amount of applications in a given month and it was pointed out that Section 6-2 of the By-Laws regarding special meetings covered this issue.

Heather Arcos stated that if the Board could get their comments to Rob Testerman, the HDRB could have a joint public hearing and special meeting with Town Council as early as September 5th however there was a certain time frame to advertise for public hearings. The Board discussed holding a special meeting before the public hearing to review the updates to the By-Laws, but the general consensus was to send comments to the Planner via email. David Gay confirmed the following sequence of events: i) The Board member's By-Laws comments would be submitted to the Planner; ii) The Planner would send the changes back to the Board; iii) The By-Laws would be sent to the attorney; iv) A Public Hearing would be held to hear public comments and; v) The Board would hold a special meeting to vote on the changes.

ANNOUNCEMENTS:

John Caton asked about the subscription membership to the National Alliance of Preservation Commissions that Paige Pollard had suggested for the Board and Rob Testerman stated that he would look into it.

Rob Testerman stated that 621 Jefferson Ave was under construction and he would report back to the Board at the end of construction and verify that all the recommendations were adhered to and would do this for future projects the Board approved. There was much discussion regarding renovation projects in the area and what required building permits and certificates of appropriateness. Heather Arcos explained that it was a group effort to look for violations and if anyone saw anything of concern they could contact the Planner. John Caton asked about the criteria for projects and David Gay commented that there was no information available about rules and regulations in a Historic District. Joe Fehrer pointed out that there were informational documents in the Code Office and stated that it would be ideal if every realtor gave a brochure to every homeowner in the Historic District that outlined their obligations and Heather Arcos noted that there was a homeowner brochure available. Heather Arcos recommended the realtors attend Town meetings as they did in the past to obtain public information updates such as changes to the Historic District, Planning and Zoning.

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

Chairman David Gay

Asst. Town Clerk