

MINUTES OF THE ARCHITECTURAL REVIEW BOARD OF THE TOWN OF STRASBURG HELD ON THURSDAY, JULY 25, 2013 AT 5:00 P.M. IN THE COUNCIL CHAMBERS OF THE TOWN HALL.

ARB Members present: Chairperson Seth Newman, and Board Members Marcy McCann and James Massey. Absent: Vice Chairperson Sandy Hart
Staff: Economic Development & Planning (ED&P) Manager Murray, Town Manager Rex, and Clerk of Council Keller

Chairperson Newman called the meeting to order.

Action Item:

1. Approval of Minutes: March 28 and May 24, 2013

The minutes were approved unanimously on a motion by Board Member Massey and a second by Chairperson Newman, but the Board wanted additional comments/amendments added to the minutes (*an audio tape of the May 24, 2013 meeting was not made so these comments are added as part of the July 25, 2013 meeting minutes*).

Board Member McCann said, “I do have some comments on the most recent minutes. I would just like to make a couple of comments for the record about the minutes. I would like to add that at length we actually named the wood substitute siding as hardy plank and that we referred on several occasions to the specific design of the wood, not that we said, we may have said wood siding, but we went on at length to explain what we meant by wood siding. We meant to emulate the wood lapped siding that was on the home adjacent to this new construction. That is one thing that I saw and I think that was just an oversight in transcribing; I don’t think that it was meant to be that way. There was a lot more that was said during this meeting or during that application process. One of the other things that we did talk about was the historical aspects of the architecture, the existing home, and why this was relevant. I just want to make sure that we show that as an amendment to these minutes that we specifically stated the type of wood we were talking about, that we approved that it was not wood as in generic, but it was wood as in specific.” **Chairperson Newman** added, “Wood lapped siding” and **Board Member McCann** said, “wood lapped siding to emulate, whatever words we used, we specifically, at length talked about duplicating the look of the existing structure” and **Chairperson Newman** said, “which is a lapped, five inch revealed.” **Board Member McCann** said, “we actually discussed the fact that we understood that it was now sheathed in vinyl siding, however we went into the fact that even the homeowners themselves or a subsequent property owner at some point will, if history proves as in most cases, will remove that vinyl siding to expose the original lap siding and that is one reason we felt it was very important. We also stated that even though we went through the whole thing that you can’t see it, we talked about adjacent buildings being taken down at some point. We talked about a lot during that meeting and so I don’t think that is all reflected in the minutes.”

Board Member Massey said, “It should be noted that I think it was after the meeting was officially terminated, but the applicant came back into the room and asked if cedar siding was satisfactory and we said yes, cedar siding would be very satisfactory.”

Board Member McCann said, “I think it does say in the minutes or maybe it was in our conversations about this particular issue, but they repeatedly said that they wanted to do, they were here because of, and they wanted to do what the Architectural Review Board suggested. I clearly remember that because we went on at length about this. Because of the subsequent issue, just want to make sure that it is in the minutes.”

Chairperson Newman asked, “When they came in for this application, had they already received a building permit?” **Town Manager Rex** asked if he was speaking about when the applicant was seeking approval at the last meeting and **Chairperson Newman** said, “this was for May 24th, I guess was the meeting time, so they had a building permit” and **Town Manager Rex** said they did not and said they could not receive one until the town gave Shenandoah County the okay after the ARB approved it.

Board Member McCann said, “We should make sure that we did state, that we did talk about the why and how of the metal roof, also, and again, they said repeatedly, a couple of times, that they wanted to do what was right by the town. The young man said that and the older man said that.”

2. Major Modification Application: 340 West King Street

Chairperson Newman said there are several issues on hand with this with one being the Certificate of Appropriateness stated that it would have wood siding and the applicant agreed to a lapped siding, emulating the lapped siding on the house and what is on the building is T-1-11 siding which is a wood siding, but **Board Member Massey** said it is not wood siding, but is T-1-11 sheeting. **Chairperson Newman** said some use this as siding, but it is not a siding product, but is a sheeting product. This has been painted and so this is a violation of the Certificate of Appropriateness. He said the next item will be the roofing which is supposed to be a metal roof and there are shingles stacked on the roof.

ED&P Manager Murray said the applicant would not be in attendance at this meeting as they already had plans to be out of town. **Chairperson Newman** did not see a need for a lot of discussion as they have not adhered to any of the agreement of the previous application and/or meeting. He feels it should be rejected and repealed to the Council. He said the construction that is going on, according to the Historic Guidelines approved by the Council, is inappropriate. The shingled roof would also be, according to the Guidelines, inappropriate.

Board Member Massey said there are two issues with the first being the siding. They put a paneling rather than a siding on and so they are in violation of their permit. The second issue is applying for a modification regarding the roofing approval. For the record, he thought he better make sure there was no misunderstanding of what the word siding is. He read from the “most basic dictionary” which read, “Siding is exterior wall covering of horizontal boards nailed to a wood frame.” If the owner feels they have finished the wall by putting on paneling and painting it, then they are in violation. If they put some wood siding or cement fiber board on, then they are not in violation. He does not know when it would be considered a violation. He feels this is a separate issue from the roofing.

Chairperson Newman said he believes the Board will leave it up to staff on the violation of the siding. On the new application, the staff memo said they are not in violation because nothing has been applied, he thinks it is the feeling of the ARB that they call for a violation of the Certificate of Appropriateness on the siding and then we are going to reject the second application on the use of inappropriate materials for a historic district house.

Town Manager Rex said this is a complicated situation and difficult to break down. In May, an applicant came in and verbally agreed on the record to do what the ARB asked with one slight adjustment. He thinks where there was confusion was that when the ARB was talking about siding, they had a picture of lapped siding, but the interpretation of the applicant was what they have put on would qualify as wood siding. He doesn't agree, but he does think the applicant has an argument. In May, they had an application, a Certificate of Appropriateness was issued, and staff heard nothing until **Board Member McCann** visited the site and it appeared they were not doing what was approved. This was a new construction application in May so approval was required. Once the Certificate of Appropriateness was sent, staff did not tell the applicant they had 30 days to appeal to Council because the applicant had agreed to do what was discussed. Staff did not hear otherwise until recently. It was not appealed and they just went forward and used different materials, against the Certificate of Appropriateness. Since the structure is up and it is clear from conversations with the applicant that they have no intention of putting up lapped siding or a metal roof, the first application becomes an enforcement issue for staff. In administering this enforcement, staff felt it was best to let the applicant re-apply and in re-applying, they are applying for a major modification which is specifically for the roof. The ordinance we have made the citizens and Council feel good, but it does nothing for the Historic District. The town is in the process of rewriting the zoning ordinances and in talking with the consultants, they have made some recommendations on how to approach creating stronger controls where those stronger controls are most needed, which is specifically in the commercial part of downtown. The building is up and so it is not new construction per se; they are asking to modify the roof. The ordinance for a major modification only requires the ARB to make a recommendation.

ED&P Manager Murray said as a result of what has happened with this application and with internal conversations, they have come up with better ways to make things clearer in future applications. There should be clearer motions, paperwork provided on the appeal process, better letters to go along with the Certificate of Appropriateness and in general, better communications to the applicant and also to the ARB. The motions need to be very specific because there will not be enough time to approve the minutes before issuing the permit.

Board Member McCann said she was under the impression they did make a motion during the meeting and they said what they were talking about. **ED&P Manager Murray** said that in the future, between the staff and the ARB, the motion will be read over so there is no miscommunication.

Town Manager Rex said for new construction, staff will be more specific in making a motion recommendation for the ARB. In this particular instance, staff could have put in

the motion lapped siding instead of wood siding and maybe could have added the wording of hardy plank. **Board Member McCann** said these are the things they spoke about in the meeting and so she understands why they may need more of a review after the paperwork is done. **ED&P Manager Murray** said there is a lot of discussion at meetings so when a motion is made, this is where the specifics need to be very clear. She said we can also look at this from an economic development standpoint and pinpoint the areas as the commercial area and maybe let go of some of the areas on the extreme in order to tighten up the regulations so it is not just a major modification, but a requirement. She said it must be very clear that signs are included in this. **Board Member McCann** said this house is downtown and **ED&P Manager Murray** said it is, but history shows it will take people some time to get used to this and so she would like to tighten the controls on the most important structures. Later, the district could be increased and more structures brought in. This could be tied to economic development.

Chairperson Newman asked if the town would be readjusting the boundary lines for the district and **ED&P Manager Murray** said that is what they are suggesting or to create a second district.

Board Member Massey said there was a severe misunderstanding on this point. The basic historic district is specifically defined by the federal government and was formed in 1984 in Strasburg. When the town established a regulated local district, it shrunk the boundaries substantially because it was felt it was too large. The local district is already a shrunken and poor area. He thinks it is off on the wrong direction to think of shrinking it further. We need to coexist the boundaries between the local and the federal districts because the federal district is what determines tax credits and regulations.

Town Manager Rex said they do not mean to shrink the local district, but have a district within the district which will allow for more control over the exterior architecture. The suggestion is to designate an area which is controlled more.

Board Member Massey spoke about the veteran's home proposal and due to the house not being in the shrunken local district, but it is in the federal district, it was not regulated according to historic district ordinance. We now have a severe, potential problem there, in his opinion, in terms of overdevelopment of an historic house in an historic district. This speaks to the need to not down grade, but to upgrade the district.

Board Member McCann said the ARB, who has educated themselves with years of experience, and others on staff need the backing of the Town Council and have a concerted effort to educate others. People come to see the town because they are searching for value in their experiences, different experiences from their own lives. They spent many hours and dollars on the document and then got screamed at in public meetings and then had the ordinance suspended. She would like to continue educating the powers that be of the value of this. We need some backbone in the system.

Board Member Massey said the design guidelines have specific guidelines for commercial buildings and he doesn't have any problem with making this tighter.

ED&P Manager Murray said staff is trying to strategize a way for the ARB to have more control on a certain area. Right now the only impact this board has is on new construction and staff wants them to have an impact on major modifications. It is an education process, but they need to see what they can get Town Council to support. If we say which buildings are the most important to have an impact on and strengthen guidelines on those buildings so it is a requirement and not a recommendation, she thinks it might work better. It would be the baby steps necessary to eventually get the entire district covered.

Chairperson Newman said we have run into this situation. When the ARB said no, the Council suspended the ordinance and vinyl siding was placed on the structure and then the Council put the guidelines back in place. This will create an atmosphere of favoritism which will not get what we want. We have a boundary and all know what the boundary is. If you start treating people within the boundary differently, a feeling of hate will come and everything will go to Council and who knows what will happen. The ARB is acting on this based on guidelines approved by the Council. He said the instance being discussed at this meeting is a clear violation of the Certificate of Appropriateness.

Board Member Massey said this is a purposeful violation of the Certificate of Appropriateness. The applicant agreed and purposely went against it. The ARB also offered to consult with the applicant on the siding. This is not an economic condition as they built a huge garage. In theory they could put some siding up on the paneling and they wouldn't be in violation, but staff is up to policing these things. The ARB is most concerned that it is a purposeful violation. He said it could also be discussed what Strasburg is and it is not just the commercial aspect, but the beautiful old homes.

Town Manager Rex said whatever vision people have of Strasburg, they are not protected now. They can make major modifications such as the putting up of vinyl siding. The Council, by adopting the ordinance they have now, only wants to control new construction and demolition. They do have to apply for major modifications and the ARB can discuss this. He thinks it would be good to strengthen the guidelines in a smaller area and move forward from there.

Board Member Massey spoke about the house on Sharpe Street and how they went along with the recommendations. The Dunkin Donuts was also successful and so he thinks they have been reasonably successful with their recommendations.

ED&P Manager Murray said they are on a timeline for the rewrite and the historic district is part of this. **Board Member Massey** asked how to progress with this and **ED&P Manager Murray** said they are trying to ask how they want to be involved.

Chairperson Newman said the next meeting of the Planning Commission and Ordinance Committee is August 14 and he officially invited the ARB to this meeting. **Board Member Massey** said they could meet with the consultant and tell what is important and not just comment on what is already written. **Chairperson Newman** said copies of the UDO can be given to the ARB so they can make comments.

In the application being discussed now, **Chairperson Newman** said he is not in favor of letting them do whatever they want. He does not know if you revoke the Certificate of Appropriateness or if you revoke the application. Should the ARB make a motion on this and **Town Manager Rex** said it is now handled at the staff level.

Chairperson Newman moved to not approve the application for the asphalt shingle roof and recommended a metal roof which matches the standing seamed roof on the adjacent structure; second by Board Member McCann. The motion passed unanimously.

Board Member Massey asked if a motion needed to be made regarding the enforcement of the Certificate of Appropriateness and **Chairperson Newman** said it was pointed out to all that enforcement was up to the staff so the ARB will let staff handle this. **Board Member McCann** asked if there was a timeframe on this and **Town Manager Rex** said they have a lot going through their heads on how to enforce this and approach it and they are still strategizing this. They don't want to harm the relationship with the owner or the relationship between the ARB and Town Council. This is a sensitive issue that they are trying to handle the best way they can. **ED&P Manager Massey** said they also want to use this as an opportunity to improve how we do things.

Chairperson Newman said when you think of Strasburg as a community, the two streets of "Main Street" do not make up the historic district. If the two streets weren't there, people would still come, but if there were only two streets, people wouldn't come. They are well aware they are not an enforcement board, but they have been asked to be vigilant in protecting the district. If a member sees something and brings it to staff's attention, that is not a role of enforcement, but a role of a volunteer helping staff by doing something they may or may not have time to do.

ED&P Manager Murray said, in the future, they would like for the member to come to staff and not to the applicant. **Board Member McCann** said she did not approach the applicant, but he approached her when she was taking pictures. He told her he did not want to put the metal roof on the building and she looked at the building and said it was not even the appropriate siding. The man said it just said wood and she told him it was to emulate the existing structure. He asked if it was a suggestion or a rule and she didn't want to get into an argument with him as she has already been a subject of vandalism and this person had been a member of the brouhaha that caused problems with the ordinance so she told him she didn't know. She walked away and later told **Town Manager Rex** what had happened. She did not even recognize the person. She had only been in the area to take pictures for Hometown Strasburg.

Board Member McCann said there have been several buildings that have come down recently that were outside the local district. She discussed the structure owned by Valley Milk. She would like to see the town reach out to anyone who has large buildings and come to the town before tearing it down. She wants the town to go out and jump on this. **ED&P Manager Murray** said she did see the application and where she came from, you

can't just take down a commercial building without discussion. This could be a quick discussion on the revisions.

Discussion Item:

1. Role of Economic Development in Regards to the Historic District:

ED&P Manager Murray said she has met with Town Council and had some preliminary discussions on economic development. We need to have the vision and it might take six to 12 months to get this vision on how to brand or market Strasburg and the downtown area has to have a role in this. She worked with Montpelier, Vermont which had a design control district and very strict standards. She wanted to know the ARB's feelings on the role of them with economic development.

Chairperson Newman asked what she sees for Strasburg. **ED&P Manager Murray** said she sees a lot of potential for what Strasburg could be. Action steps are being taken. The asset of being at the top of the Shenandoah Valley and only an hour from the city is great. She came from a community which had nothing to draw economic development. When she sees the downtown, she sees opportunity, but it needs some infusion. They are working on a planning grant to help with the downtown area. She wants to see if the town can hang their hat on one common theme which would bring people to Strasburg. She wants to help the community have the bigger perspective. The downtown area is only missing the open space. It takes time to get everybody on board and it is an education process. She wants input from the boards on how to market Strasburg.

Chairperson Newman said the baby steps in moving forward is slow. Nobody was asked about recycling more than once and everyone has to pay for it. He thinks the same thing should happen with the ordinance.

Board Member Massey said the comparison is the sidewalk issue. You build it piece by piece and eventually you get the walkway all along. He is glad **ED&P Manager Murray** has a strong feeling for the historic aspect for the area as that will attract people to the area. Tax credits are powerful inducements to attract businesses. **ED&P Manager Murray** should model after Staunton as they have been the most successful in marketing.

ED&P Manager Murray said the entire state of Vermont was designated historic so she has a fondness for architecture history and she supports the ARB.

Board Member McCann said it was said they want to maintain the relationship with the homeowner and the staff and Council in the previous discussion. Relationships with the homeowner should only be done in a professional way. Enforcement should only be for the application and not who the person is. The ARB does not look at the person, but the property and how it impacts everybody.

ED&P Manager Murray said **Town Manager Rex** did not mean it any other way, but was more as a communication issue and how to work things out. We have ordinances for the general good of all.

Chairperson Newman discussed a Planning Commission meeting he attended in another locality and they have two motions in front of them, one for yes and one for no. Everything is outlined in the motion as to ordinances, etc. **ED&P Manager Murray** said there should be very few no's, but all should work with the applicant to resolve challenges.

Chairperson Newman said he thinks the ARB should be represented at the July 29 meeting and asked **Mr. Massey** to be the representative. **Mr. Massey** accepted the position.

Board Member McCann said she liked the use of the word opportunity for the downtown area and she agreed it is an opportunity.

Chairperson Newman said the entrance corridor coming into the town is also a clean slate and the vision of that area has different visions between staff, the Planning Commission, and the ARB. He thinks this area needs to be focused on very much. **ED&P Manager Murray** said if the Advance Auto was going in the downtown area, staff would have very different vision than it does now.

Chairperson Newman said his concern is the rooftops you see coming into town. He doesn't think all the rooftops should have ever happened. His thinking was that as you came down the hill, the construction would have been a progressive area down the hill. We can mold the construction to reflect the historic district. **ED&P Manager Murray** said the ordinance will need to state this so you can control this. Form based code will help with this. Development standards can be made better.

Chairperson Newman said he moved to Strasburg because it was a nice small town. He likes Strasburg and he wants to make sure the character remains for a long time. We have a great opportunity.

Being no further business, the meeting adjourned at 6:24 p.m.