

# Clarke County

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## HISTORIC PRESERVATION COMMISSION

### AGENDA

Wednesday - 2022 January 19 - 4:00 p.m.

Town/County Government Center

101 Chalmers Court

Berryville, VA 22611



1. Call to Order
2. Election of Officers: Chair, Vice-Chair
3. Approval of Agenda
4. Schedule of Meetings for the year
5. Approval of minutes for November 10, 2022 --Attachment
6. Introduction to newly appointed member
7. Public Comments
8. Report Executive Committee --Attachment
9. Staff Reports
  - BZA Update
  - Other
10. Historic Consultant's Report
11. CLG/other Grant projects
  - Discussion of future projects/applications
12. Old Business
  - Battle of Berryville Grant --Attachments
  - Annual Report --Attachment
  - Demolition Criteria Ordinance
13. New Business
  - CLG Annual Report
  - Historic Markers --Attachment
  - Discussion of 2022 Preservation Awards
14. Commissioner Comments
15. Adjournment

**Town/County Government Center**  
**101 Chalmers Court**  
**Berryville, VA 22611**

**[www.clarkecounty.gov](http://www.clarkecounty.gov)**  
**540-955-5132**

**HISTORIC PRESERVATION COMMISSION**

**2022**

**MEETING DATES**

**Third Wednesday every other month at 4:00 p.m.**

**2<sup>nd</sup> Floor Town/County Government Center**

**A/B Conference Room**

**January 19**

**March 16**

**May 18 – awards luncheon**

**July 20\***

**September 21**

**November 16**

**January 18, 2023**

**\*Optional summer meeting date**

**Clarke County  
Historic Preservation Commission (HPC)  
Meeting Notes – November 10, 2021**

A regular meeting of the Historic Preservation Commission was held at the Town/County Government Center, 101 Chalmers Court, Berryville, Virginia on November 10, 2021 at 4:00pm.

**Present:** Betsy Arnett (Chair), Robin York (Vice Chair), Bob Stieg  
**Absent:** Katherine Berger, Terri Catlett (BOS Liaison), Billy Thompson, Doug Kruhm (PC Liason)  
**Staff:** Jeremy Camp, (Sr Planner/Zoning Administrator), Kristina Maddox (Office Manager / Zoning Officer), Maral Kalbian (County Architectural Historian)  
**Other:** None

The Historic Preservation Commission Business Meeting was not held as a quorum was not established.

**Call to Order:** Chair Arnett called the meeting to order at 4:11pm.

**Approval of the Agenda**

N/A

**Approval of Meeting Minutes**

N/A

**Public Comments**

N/A

**Report of the Executive Committee**

Chair Arnett said there was nothing to report as no Executive Committee applications have been submitted.

**Staff Reports**

**Board of Zoning Appeals Update:** Mr. Camp said the next step is an arraignment meeting in December where the judge will review the case and make a decision as to whether or not it will go to trial. Mr. Camp said that while there are various arguments made in the appeal, the one they are relying on is the fact that the building inspector inspected the project and approved the footers. The appeal claims that the inspector never identified that the garage was not in the right location. Mr. Camp said that the inspector was only there to inspect the footers for compliance with the building code. He was not tasked to inspect the location, nor was he qualified to do so. Upon inquiry from Chair Arnett, Mr. Camp agreed to find out who Mr. Legge's new attorney is and provide the details to Chair Arnett.

**Battle of Berryville:** Mr. Camp said that that despite the great citizen turnout, there were some audio complications during the consultant presentation. He said some citizens expressed concern with the prospect of their property rights being taken. Mr. Camp said there was a meeting with the consultants afterwards to go over the concerns the citizens had such as the lack of information provided on the research project itself. Now that the archives are open, the consultants said there isn't anything directly related to the battle, but they were told that there is a reference to a wagon caravan that was attacked that is believed to be connected to the battle. The consultants were going to look more into this. Mr. Camp said the consultants agreed to come back and provide an in-person presentation of the final report. He said the consultants would finish the final report in December or early January and said they felt there was enough battlefield integrity left. He said the consultants did not go onto many properties but they were able to

deduce from the records and aerial photography to see what embankments remained. He continued that there are only two properties where there's significant integrity left which is Mr. Byrd's property and the cornfield next to it. There was a discussion regarding the original federal map revisions from proposed boundaries done by the consultants including the changes in Shenandoah Crossing, and the additions of the west side of the park, Rosemont, and Clermont.

### **Historic Consultant's Report**

Ms. Kalbian reported that letters have gone out from the Town of Berryville to five property owners on Josephine Street, whose houses have been deemed derelict by the Town. Ms. Kalbian met with Councilwoman Diane Harrison and discussed possible solutions to this crisis. She informed Ms. Harrison that two of the homes under consideration are the earliest log houses to survive in the community. The others are also historic. Kalbian said there were several meetings years ago regarding a community development block grant and that engineers were consulted to get a better scope of the project. She said the understanding was that it was going to be free money but at one of the final meetings, it was explained that it was essentially a loan with 0% interest in hopes of getting a grant to cover the loan. This new information, that was provided to the community at the last minute, did not sit well with the property owners, who declined to move forward. A few years ago there was a discussion with some property owners about attempting to apply for a Civil Rights Grant from the NPS to address some of the most historic buildings in the community, including Zion Annex. Allison Teetor and Maral Kalbian attended as did Bob Stieg. It was explained to the community that any buildings that received funds would have to be put under a preservation easement. Additionally, there was to be a lot of effort involved, including getting estimates for the work in order to apply for the grant. It was decided to instead start on a small scale and Kalbian and Teetor applied for a \$250,000 grant to stabilize the original church (Zion Annex) across from Mt Zion. The county has been turned down on this grant twice. Ms. Kalbian recalled how it has been suggested to the Town that they consider having some sort of conservation district in place along Josephine Street that would simply address demolitions and new construction. This would ensure that new buildings would be visually compatible with the historic ones in massing, setback, and profile, thereby protecting the historic integrity of the community.

Ms. Kalbian heard the Civil War Trails is going to put in two new markers – one for the Battle of Berryville and they are still looking for ideas on the second. She said when reading an old diary, it explained what had happened when African American troops came through Berryville and camped at the Episcopal church. Commissioner Stieg said he thought the Shenandoah Valley Battlefields Foundation was committed to doing a civil war trail sign for Thomas Laws at the Josephine Museum where he's buried.

Ms. Kalbian has been in touch with the new owners of Carter Hall and provided them information regarding rehabilitation tax credits. She sent them links to the DHR website and told them about the tax incentives the county provides for rehabilitations. She said they were waiting to see what the County will allow them to do. Mr. Camp responded he had just issued a Zoning Determination response, which notified them they are grandfathered for a specific use - a non-profit organization. He said if they want to bring in something similar to a nonprofit, they are able to do so but they will need to get the approvals as a new use rather than relying on the grandfathered status.

Ms. Kalbian noted there will be a preliminary hearing regarding the monument lawsuit in January. The public defender says he has a client who allegedly tried to shoot at a sheriff's deputy in front of Nalls Market and is asking for a change of venue or to take the monument down as he doesn't feel his client will get a fair trial.

Ms. Kalbian mentioned that an article came out in the White House History Quarterly about JFK's butler, George Thomas, who grew up in Clarke County. She said she knew the person editing the article and she had asked Ms. Kalbian to review it but she isn't certain whether or not her changes were accepted.

Ms. Kalbian attended a book signing at the Tuleyries for Sandy Wilson, the former owner. She said Ms. Wilson hired a friend to write a book about the Tuleyries and said the event was well attended by about 50 people and was very nice. She said there was another book signing at Locke Store where it is now available for purchase.

An email was received by Ms. Kalbian from DHR (Department of Historic Resources) wanting to do a highway marker on John Underwood. Ms. Kalbian sent them the entire entry of what is in the catalog about his house.

Ms. Kalbian said she the book is coming along.

### **CLG/other Grant Projects**

Chair Arnett said the 2022 CLG application will be due in May. Commissioner Chair mentioned a potential project to identify as many enslaved people cemeteries in Clarke County as possible. Mr. Camp suggested that the Commission have an Executive Committee Meeting to discuss the potential grant applications and to come up with a list that they will present to the Commission in January. Chair Arnett asked Mr. Camp to send an email to the Commission asking for recommendations and suggestions for applications and projects.

### **Old Business**

***Battle of Berryville*** – Commissioner Stieg commented that we will have produced a PIF (Preliminary Information Form) and a study report but wanted to know if the next step is to write a nomination. Ms. Kalbian's responded that it was a valid next step if the choice is to move forward with it. Chair Arnett said that it would take a lot of reaching out to people and addressing their concerns. There was a discussion surrounding the County's GIS map online which is by parcel and shows various layers including the district boundaries, historic buildings, etc. Chair Arnett commented that the focus in the next consultant meeting should be on expanding the understanding of the battle and that we are evaluating the possibility of creating a historic district. There was a discussion to plan a series of meetings, mailings, and posters to address people's concerns and answer questions potentially with the help of DHR. It was agreed there are two things that need to happen – 1) DHR needs to weigh in on the PIF and if it is even eligible and, 2) we need to build community support before we move forward.

***Annual Report*** - Chair Arnett gave an annual report to the Planning Commission, which was very well received. She asked if the Commission if she should share the presentation with the Board of Supervisors. Mr. Camp and Commissioner Stieg agreed that it would be a good idea.

***Demolition Criteria Ordinance*** – Chair Arnett said the demolition criteria was approved and forwarded to the Planning Commission. Mr. Camp confirmed that it is in the work plan but that it may not be reviewed until the first part of 2022. Chair Arnett asked if Mr. Camp could provide an update of when the Planning Commission might take it up as a text amendment to the Zoning Ordinance at the next HPC meeting.

### **New Business**

***Historic Markers/Signage:*** Ms. Kalbian found out from DHR that the Historic Highway Markers were not eligible for a CLG grant.

**Discussion of 2022 Preservation Awards** - Chair Arnett suggested asking Cathy Kuehner to do a news release in January inviting the public to nominate properties for the Historic Preservation Awards with a deadline of March. Even though the awards have not been done this way previously, Chair Arnett believes that it might boost morale. After a brief discussion on whether or not this needs to be approved by the Commission, it was decided that it does not and that we can move forward. Mr. Camp is going to draft a release, ask Chair Arnett to review, and ask Cathy Kuehner to do the release in January with a nomination deadline in February. The nominations will then be discussed at the March HPC meeting.

**Commissioner Comments**

**2022 Meeting Dates** – Chair Arnett announced the 2022 HPC Meeting Dates as follows:

- January 19<sup>th</sup>
- March 16<sup>th</sup>
- May 18<sup>th</sup> (Preservation Awards)
- July 20<sup>th</sup>
- September 21<sup>st</sup>
- November 16<sup>th</sup>

**Adjournment**

The meeting adjourned at 5:15pm. The next meeting is on Wednesday, January 19, 2022 at 4:00pm at the Town/County Government Center at 101 Chalmers Court in Berryville, VA.

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Betsy Arnett, Chair

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Kristina Maddox, Clerk

# Clarke County

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## HISTORIC PRESERVATION COMMISSION

### EXECUTIVE COMMITTEE AGENDA

Tuesday- 2022 January 11 - 11:00 a.m.

Town/County Government Center

2<sup>nd</sup> Floor Meeting Room (beside Planning Office)

101 Chalmers Court

Berryville, VA 22611



1. Call to Order
2. Review: 214 White Post Road Certificate of Appropriateness Review
3. Discussion: Battle of Berryville Draft Report by Grubbs & Associates  
Review Comments
4. Discussion: Blighted buildings on Josephine Street in the Town
5. Discussion: Underwood Historic Highway Marker (DHR sponsored)
6. Discussion: January 19<sup>th</sup> Agenda review
7. Other
8. Adjournment

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# Certified Local Government Program – 2020-2021 Annual Report

(Reporting period is from October 1, 2020 through September 30, 2021)

## State Annual Report for Fiscal Year 2020-2021

The information gathered using this form will be a valuable tool for tracking the accomplishments of localities participating in the CLG program. Please take the time to complete the form and return it to me by email by January 31, 2022. Thank you for taking the time to complete the annual report and please make sure you complete section 10 so that we may continue to streamline and improve the CLG program to better serve your needs.

Once you have completed the document please save the completed form and email as an attachment to **aubrey.vonlindern@dhr.virginia.gov**. You can also convert it to a PDF and send as an email attachment.

Locality Name: **Clarke County**

Contact Person: **Jeremy Camp**

Telephone: **540-955-5131**

Email: **jcamp@clarkecounty.gov**

Report Prepared by: Jeremy Camp

### LOCAL REVIEW BOARD ACTIVITIES

1. In the Fiscal Year, how many review board meetings were held? **6**

Please attach a copy of all ARB bylaws and procedures, if they are new or have been revised during the fiscal year. **See attachments 1-3**

2. In the fiscal year, how many applications for a Certificate of Appropriateness were: **1\***

Reviewed by the local review board	<b>0</b>
Approved by the local review board	<b>0</b>
Denied by the local review board	<b>0</b>
Appealed by the applicant or another party	<b>0</b>

**\* one application submitted and reviewed by Staff as it did not require review by the board per code.**

On appeal, how many board decisions were:

Upheld	<b>n/a</b>
Overturned	<b>n/a</b>

Please attach a copy of at least one set of minutes for a meeting of the review board at which an application for a certificate of appropriateness was discussed. **See attachment 4**



# Certified Local Government Program – 2020-2021 Annual Report

(Reporting period is from October 1, 2020 through September 30, 2021)

### 3. Survey/Inventory/Designation Activities:

Please indicate whether or not you have an ongoing survey program and enter the number of historic properties surveyed during the fiscal year:

Do you have a survey and inventory program? **No**

Number of resources added to the local government's survey inventory in 2020-2021? **0**

Did your local government have a local register program, which may include Virginia Landmarks Register and/or National Register of Historic Places listing and/or eligibility for listing? **No**

Number of locally designated historic properties. **0**

Number of applicants assisted through a local historic preservation grant or loan. **0**

Did your community have a local government-funded grants/loan program that could be used to acquire or help to acquire historic properties in whole or in part through purchase, donation, or other means?  Yes  No

Number of historic properties acquired through purchase, donation or other means. **0**

Were there any additional or new cultural resource surveys done or additions to existing boundaries of existing historic districts completed during this reporting period?  Yes  No

Does this inventory/survey include information on each structure or site within each district?  Yes  No

If a district was locally designated, please attach a map of the district.

### 4. Section 106 of the National Historic Preservation Act.

Were there any resources reviewed through Section 106.  Yes  No

What is the role of the staff and commission in providing input to Section 106 documents prepared for, or by; the local government **We comment when asked**

What, if any, comment on Section 106 reviews of federal projects occurred within the locality in 2020-21? (e.g. number, federal agency involved, etc): **n/a**

### 5. Does the locality have or has there been any new archaeology ordinances implemented during the 2020-21 fiscal year?

Yes  No

# Certified Local Government Program – 2020-2021 Annual Report

(Reporting period is from October 1, 2020 through September 30, 2021)

If so, please include a copy of these ordinances. **n/a**

## 6. Were there any amendments or alterations in the fiscal year to your:

Local historic District legislation/ordinance during the report period	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Design review guidelines	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, please attach a copy of the revised legislation/ordinance or design review guidelines and provide a brief explanation of the reasons for the amendment(s) and/or alteration(s). **n/a** (note: I would add that initial planner work was done to revise the review guidelines to include guidelines for demolitions. This will be pursued next period for completion)

If changes to design review guidelines were made during the last year, please include a copy of the ARB meeting minutes where those changes were discussed. **n/a**

## 7. National Register Nominations:

Were any proposed National Register nominations considered by your review board during the 2020-21 fiscal year?  Yes  No

If yes, please attach a copy of the minutes of the meeting at which a proposed nomination was considered by the board. If not included in the minutes, please attach an explanation of the board's decision. **n/a**

## 8. Members of the Local Review Board

Were there any training/orientation programs offered to review board members during the fiscal year?  Yes  No

Did any members of the review board attend training workshops presented by DHR?  Yes  No

# Certified Local Government Program – 2020-2021 Annual Report

(Reporting period is from October 1, 2020 through September 30, 2021)

## Commission Membership

Name	Professional Discipline	Date Appointed	Date Term Ends	Email Address
Page Carter	Architecture	4/21/2020	5/31/2024	<a href="mailto:pagecarter@verizon.net">pagecarter@verizon.net</a>
Betsy Arnett	Public Information Officer (another jurisdiction) Master's Degree in Historic Preservation	4/21/2020	5/31/2024	<a href="mailto:betsyarnett85@gmail.com">betsyarnett85@gmail.com</a>
Robin York	Benefits Advisor	4/20/2021	5/31/2025	<a href="mailto:Robin.York@loudoun.gov">Robin.York@loudoun.gov</a>
Bob Stieg	Nonprofit CEO	6/17/2014	5/31/2022	<a href="mailto:bstieg@msn.com">bstieg@msn.com</a>
Katherine Berger	Marketing	5/21/2019	5/31/2023	<a href="mailto:kmbberger@gmail.com">kmbberger@gmail.com</a>
Billy Thompson	Restoration	4/20/2021	5/31/2025	<a href="mailto:info@whitepost.com">info@whitepost.com</a>
Terri Catlett	BOS Liaison	1/19/2021	12/31/2021	<a href="mailto:tcattlett@clarkecounty.gov">tcattlett@clarkecounty.gov</a>
Maral Kalbian	Historian	Not a member – HPC consultant		<a href="mailto:maral@mkalbian.com">maral@mkalbian.com</a>
Doug Kruhm*	PC Liaison	2/18/2020	12/31/2023	

\*partially during the reporting period. now resigned due to health reasons

1. If you do not have two qualified professionals on your commission, explain why the professional qualifications have not been met and how professional expertise is otherwise being provided. Type Here
2. If all positions are not currently filled, why is there a vacancy, and when will the position will be filled?  
Type Here

## Training Received

Indicate what training each commissioner and staff member has received. Remember it is a CLG requirement that all commissioner and staff to the commission attend at least one training program relevant to your commission each year. It is up to the CLG to determine the relevancy of the training.

Commissioner/Staff Name	Training Title & Description (including method presentation, e.g., webinar, workshop)	Duration of Training	Training Provider	Date
ALL	Architectural Historian Report	Approximately 3 hours	Maral Kalbian	11/2020, 1/2021, 3/2021, 5/2021, 7/2021, 9/2021.

# Certified Local Government Program – 2020-2021 Annual Report

(Reporting period is from October 1, 2020 through September 30, 2021)

<b>ALL</b>	<b>Heirs Property CLE: Understanding the Concept to Protect Ownership and Prevent Land Loss</b>	<b>Approximately 1.5 hours</b>	<b>Virginia's United Land Trusts</b>	<b>03/2021</b>
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.

## 9. Public Education and Outreach

List briefly and describe any public outreach, training, publications, etc. conducted or created by the locality.

Project	Description
<b>Annual Rewards Program for 2020 and 2021</b>	Each year the HPC gives out awards to citizens that are involved in quality restoration projects. This years ceremony included award winners from 2020 because the covid precautions caused the cancelation of the event in 2020. A lifetime achievement award was also granted to a citizen. The ceremony took place at a local restaurant where award winners were given framed certificates and treated to a complementary lunch. Presentations were given by citizens and HPC members.
<b>Demolition by neglect</b>	Properties that are classified as historic and are in need of repair work were identified and letters were sent to property owners informing them that the HPC is available for technical assistance. The letter also identified local and state grant/tax programs that are available.
<b>Website updates</b>	Maintained and updated CC website as it pertains the HPC business, including the addition of Historic Districts map, press releases, minutes, agendas, and notifications of public meetings.

## 10. Additional Information/Questionnaire

A. What are the most critical preservation planning issues? **Development pressures and funding.**

# Certified Local Government Program – 2020-2021 Annual Report

(Reporting period is from October 1, 2020 through September 30, 2021)

- B. What is the single accomplishment of your local government this year that has done the most to further preservation in your community? **Annual Rewards Program**
- C. What recognition are you providing for successful preservation projects or program? **See above**
- D. How did you meet or not meet the goals identified in your annual report for last year? **Goals were met or are in the process of being met**
- E. What are your local preservation goals for 2022? **Demolition standards, Highway markers for Bear’s Den and Chapel Districts, review relevant permits and planning documents, demolition by neglect, and annual rewards program.**
- F. So that we may better serve you in the future, are there specific areas and/or issues with which you could use technical assistance from DHR? **Simplified document package to give to property owners interested in restoration projects that are interested in State Income Tax Credits.**
- G. In what subject areas would you like to see training provided by DHR? How would you like to see the training delivered (workshops, online, technical assistance bulletins, etc)? **Online workshops. Publications and in-person workshops are also beneficial.**

Training Needed or Desired	Desired Delivery Format
<b>HPC Member continued education overview.</b>	<b>In-person visit. Local assistance possible.</b>

H. Would you be willing to host a training workshop in cooperation with DHR?  
 Yes     No

I. Did you apply for a CLG grant during the reporting period?  Yes     No

J. What prevented you from applying? **n/a**

K. Is there anything else you would like to share with DHR? **Attached HPC Annual Report.**

Thank You!

Email to [aubrey.vonlindern@dhr.virginia.gov](mailto:aubrey.vonlindern@dhr.virginia.gov)

Zimbra

jcamp@clarkecounty.gov

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**Re: Battle of Berryville Grant - Final Report Draft**

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**From :** Jolley, Robert <bob.jolley@dhr.virginia.gov>  
**Subject :** Re: Battle of Berryville Grant - Final Report Draft  
**To :** Jeremy Camp <jcamp@clarkecounty.gov>

Tue, Dec 21, 2021 08:14 AM

 1 attachment 

Jeremy:

Thank you for the opportunity to review the draft ABPP report entitled *Military Terrain Analysis and Historic Context Study: Battle of Berryville* prepared by Richard Grubb & Associates dated December 2021.

I have conducted military sites archaeology for over 25 years. The Civil War sites I have studied include several dating to Sheridan's 1864 Valley Campaign (Third Battle of Winchester, The Battle of Rutherford's Farm, The Skirmish at Ninevah and Camp Russell).

As presented in the report, historic maps, including those produced by Civil War military engineers indicate the battle took place west of Berryville (Map 1-2). This is indicated on the 1864 Hotchkiss map and is also reflected in NPS reconstructed maps of the battlefield.

The proposed PIF indicates that the battlefield encompasses over 5,330 acres and includes a discontinuous segment located over one mile to the rear of the battle encompassing the entire 361 acre Clermont Farm.

My knowledge of Clermont Farm stems from having authored the Clermont Archaeological Survey Plan and having served on the Clermont Archaeological Advisory Committee for 10 years. I have also read all Clermont archaeology reports, including the two extensively referenced in the report written by Mark Ludlow.

Based on my knowledge of Civil War archaeology and Clermont, a connection between the Battle of Berryville located west of the town and the Civil War encampment located over a mile to the east on Clermont Farm cannot be justified.

The sole source used to expand the Battle of Berryville to include Clermont Farm is based on two Mark Ludlow Clermont survey reports dated 2017 and 2019. The reports suggest that artifacts recovered from two separate fields may relate to the Battle of Berryville *but the Battle of Cool Springs* (Ludlow 2019:29) *and a raid by Mosby in 1864* (Ludlow et al.:21) are also suggested by Ludlow in the same two reports. Ludlow (2019:28-29) concludes his 2019 report by stating "The presence of combatants in the Northern Shenandoah Valley throughout much of the Civil War, may also account for the presence of American Civil War artifacts on Clermont".

Civil War historian Joe Whitehorne has researched military activities at Clermont and found evidence of possible Civil War activities but nothing relating to the 1864 Battle of Berryville. His 2011 research paper entitled "Clermont as Military Witness" was not consulted as a part of Grubb's study.

Why is the whole 361 Clermont Farm included in the proposed National Register boundary defined for the Battle of Berryville when the Civil War remains in the western portion of Clermont are on a few acres of Clermont Farm?

The presence of Civil War remains at Clermont is over stated in the Ludlow reports and the Grubb report.

There is little evidence to support the suggestion that a Civil War encampment was found in the 26 acre survey of Clermont Field 2. Table 2 of that 2019 Ludlow report lists 11 "Possible & Probable" Civil War artifacts out of a total of 1600 recovered from this historic domestic site. My review of the purported Civil War artifact assemblage indicates there are only three definite Civil War military artifacts (two bullets and one US regulation spur), representing less than .2% of the assemblage recovered from this historic domestic site. The best explanation for the presence of a few Civil War artifacts at this survey parcel is that they are the result of tens of thousands of troops moving through the historic road (Route 7) adjacent to this survey parcel.

Grubb emphasizes the "purported collection of artifacts from the families" totaling 31 artifacts from the area identified as a cavalry encampment. I examined these artifacts in 2012 and did not mention them in the Clermont Farm Archaeological Survey Plan as they were found in a closet at Clermont with a price tag on them. The sales tag indicates they were found in Clarke County *not* Clermont Farm. The artifacts are not cavalry-related but infantry-related (.58 standard 3-Ring ammunition issued for infantry rifle-muskets). Please see attached photo I took of this box of artifacts in 2012.

The size of the purported Civil War site at Clermont is much larger in the report (Map 5-54) than it really is. The consultant indicates that the two fields that Civil War artifacts were recovered from were 17 and 26 acres in size totaling 43 acres but the sites identified within these two parcels are much smaller than the size of the survey parcels.

The historic documentation indicates that several thousand Union soldiers were engaged at the Battle of Berryville. The irrefutable Civil War site found at Clermont with 39 artifacts was a "picket post", a position consisting of less than 50 soldiers according to the 1861 Revised Regulations For the Army of the United States" (page 87).

As noted in the report, no VCRIS archaeological site forms were completed by Ludlow. The site boundaries have as of yet to be established and the sites discussed by Ludlow will not be officially recognized as such until site forms are reviewed, accepted and site numbers assigned by DHR. This has led to confusion about the actual site size as others are construing the parcel size to be one and the same as the site size.

The following paragraph contained in the PIF is based on Ludlow's two Clermont reports and his email dated May 27, 2021 where he indicates that his findings "may expand the geographic area of the battle":

"The Berryville Battlefield is recommended eligible for listing in the NRHP under Criterion D for its potential to yield important information about the engagement between Union and Confederate armies on September 3-4, 1864. Two previous archaeological surveys were conducted on the Clermont Farm property in the eastern portion of the recommended historic district (Ludlow et al.2017; Ludlow 2019). As a result of both studies, numerous Civil War-related artifacts were recovered that contribute to the significance of the Berryville Battlefield and are related to Union cavalry picket lines established during the Battle of Berryville, as well

as a larger Union encampment that was established on the property in the day leading up to the battle”.

There is no historic information or archaeological evidence presented in the report supporting the statement that Civil War sites on Clermont were established the day before the battle (September 2, 1864) and the day of the battle (September 3, 1864).

I also have the following additional comments:

Lidar may reveal the location of the earthwork associated with the battle. Clarke County likely has access to Lidar.

Mike Kehoe who was the junior author of one of the Ludlow reports and also on the list of contacts should be consulted as he has extensively relic hunted the Battle of Berryville and knows the positions of battle lines and also indicated he knew where battlefield trench lines were located.

The Ludlow reports cited on page 4-10 as "compliance related" are not compliance reports but reports generated to complete survey of the Clermont Farm by 2017.

I am copying Aubrey Von-Lindern, Lena McDonald and David Edwards, all of whom are involved in the review of PIFs and National Register nominations at DHR.

If you have any questions, do not hesitate to contact me.

Bob Jolley  
Archaeologist  
Northern Regional Preservation Office  
Virginia Department of Historic Resources  
Stephens City,

On Wed, Dec 15, 2021 at 11:20 AM Jeremy Camp <[jcamp@clarkecounty.gov](mailto:jcamp@clarkecounty.gov)> wrote:

Hello Mr. Jolley,

You may already be aware that Clarke County has a grant project underway to study the Battle of Berryville that took place in Clarke County on September 3/4, 1864 during the civil war. Richard Grubb and Associates was hired by the County to complete the research and they have prepared the attached draft. Given your expertise and role with DHR, I would like to ask if you could review the attached draft and provide comment?

Thank you,  
Jeremy F. Camp, Senior Planner / Zoning Administrator  
Department of Planning  
Clarke County, VA

101 Chalmers Court, Suite B  
Berryville, VA 22611  
540-955-5131

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751 KB



## Historical Highway Marker (HHM) Suitable Location #1

- South of Georgetown University Calcagnini Contemplative Center entrance located at 400 Loyola Ln
- Propose BDRHD HHM be placed within public right-of-way at end of stone wall along west shoulder grassy area of Rt. 601
- VDOT recommends sign be placed close to rock wall so as not to impede sight distance
- Location would provide excellent visibility to motorists along Rt. 601
- Motorists could easily pull into Loyola Ln to safely view. Privately maintained Ln entrance has low volume of traffic.



**Safe and Excellent Visibility Location**

# Bears Den Rural Historic District (BDRHD)

## Historical Highway Marker (HHM) Suitable Location #2

- Slightly north of Adelaides Ln along Rt. 601
- Propose BDRHD HHM be placed within public right-of-way along east shoulder of straightaway
- VDOT recommends sign be placed north of Adelaides Ln so as not to impede sight distance
- Location would provide good visibility to motorists along Rt. 601
- Motorists could easily pull into Adelaides Ln to safely view. Privately maintained Ln has low volume of traffic.



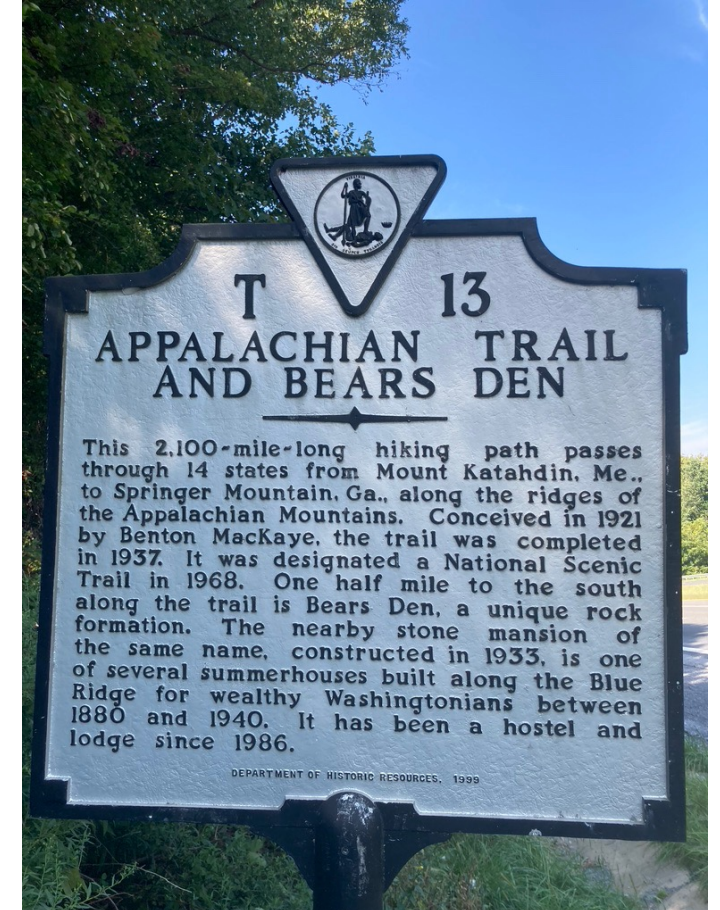
**Safe and Good Visibility Location**



# VDOT HHM Requirements

“In rural areas, the Historical Marker should be installed beyond the ditch line and outside of the clear zone within VDOT’s right-of-way. In addition, a safe pull-off area should be available to allow for motorists to safely and easily enter and exit the pull-off area and view the marker from their vehicle. If the marker cannot be read from the pull off location, then the site should be designed such that a person may safely exit their vehicle and approach the Historical Marker.” – VDOT IDSP Historical Marker Program, Operations Manual (September 2017)

- Landowners adjacent to each location have been notified by BRMCA and are supportive of sign location
- Mr. Bradley Riggleman (VDOT / Edinburg Residency / Area Land Use Engineer) supports each sign location



## Educate and Inform Citizens of Bears Den Rural Historic District (BDRHD)