

Clarke County

HISTORIC PRESERVATION COMMISSION

AGENDA

Wednesday - 2022 September 21 - 4:00 p.m.

Town/County Government Center

101 Chalmers Court

Berryville, VA 22611



1. Call to Order
2. Approval of Agenda
3. Approval of minutes for July 20, 2022 [attachment 1]
4. New Business
 - PUBLIC HEARING: Certificate of Appropriateness – 279 White Post Road [attachment 2]
5. Public Comments
6. Report of the Executive Committee
7. Staff Reports
 - BZA Update
 - Active Grant Updates
 - Bears Den Historic Marker Application Update
 - Demolition Criteria Ordinance Update
 - Other
8. Historic Consultant's Report
9. CLG/other Grant projects
 - Discussion of future projects/applications
10. Discussion of any budget request for next fiscal year
11. Commissioner Comments
12. Adjournment

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

**www.clarkecounty.gov
540-955-5132**

**Clarke County
Historic Preservation Commission (HPC)
Meeting Minutes – July 20, 2022**

A regular meeting of the Historic Preservation Commission was held at the Town/County Government Center, 101 Chalmers Court, Berryville, Virginia on July 20, 2022 at 4:00PM.

Present: Betsy Arnett (Chair), Adeela Al-Khalili, Robin York, Billy Thompson, Katherine Berger
Phone In: Terri Catlett (BOS Liaison)
Absent: Bob Glover (Planning Commission Liaison), Maral Kalbian (County Architectural Historian)
Staff: Jeremy Camp (Sr Planner / Zoning Administrator), Kristina Maddox (Office Manager / Zoning Officer)
Other: Barbara Byrd

Call to Order: Chair Arnett called The Historic Preservation Commission to order at 4:07PM.

Approval of Agenda:

Chair Arnett entertained the motion to approve the HPC agenda for May 18, 2022. Ms. Berger moved to approve the motion, seconded by Mr. York.

Approval of Minutes for May 18, 2022

Ms. Catlett noted that she was not in attendance at the May 18, 2022 special meeting.

New Business

PUBLIC HEARING Certificate of Appropriateness – 40 Berrys Ferry Road

Chair Arnett opened the public hearing. Ms. Kalbian explained that only five of the design criteria applies to reroofing. She described the roof as having a bell-shaped corner tower and that while the roof is currently made of asphalt, the owners wish to reroof using copper. She continued that the height and proportion will not change and that according to the 1983 nomination; it had a standing seam metal roof. She concluded that she did not see an issue with the current owners using unpainted copper as it will eventually become a darker color and sees that it is an appropriate treatment and as such recommends approval of the certificate.

Chair Arnett opened the hearing for public comments. A representative from Loudoun Roofing asked for clarification on the report that it is a standing seam metal roof as opposed to a flat metal roof. Ms. Kalbian responded that it will be a turn seam and noted that the 1983 survey listed it as a standing seam metal roof.

Mr. York and Mr. Thompson asked if the entire roof was being reroofed which Ms. Kalbian replied that it was just the bell-shaped corner at this time. They replied they thought it was slate versus asphalt.

Chair Arnett entertained the motion to approve the certificate of appropriateness for 40 Berrys Ferry Road to reroof the corner bell tower with copper. The motion was moved by Ms. Berger and seconded by Mr. York and unanimously approved.

Prior to closing the public hearing, Ms. Byrd asked how long it took to replace the post at White Post. Mr. Thompson said it has been three or four weeks and that they just received the poplar from McFarland's Mill that day as it was delayed due to supply chain issues. Ms. Byrd asked if they caught the person that hit it to which Mr. Thompson replied they had.

Ms. Byrd said she had some comments regarding the Battle of Berryville and read from a letter that she wrote opposing any action from the county or Historic Preservation Commission to DHR (Department of Historic Resources).

Report of the Executive Committee:

Chair Arnett said the Executive Committee held a meeting regarding the Battle of Berryville grant report and set the agenda for the meeting but no action was taken.

Staff Reports

BZA Update: Mr. Camp said the County won the court hearing and that Mr. Legge has to have two things corrected by January 2023 and that he had 30 days to appeal from the date of final order. He said the 30 days has since expired and that we are now waiting for him to submit his plans in the next few months but that essentially he has until January 2023. Ms. Catlett asked about an August deadline to which Mr. York replied the August deadline was for Mr. Legge to submit a corrective action plan to the county. Mr. York asked what type of follow up is in order when and if that day comes and passes as it would then be a violation of court order. Mr. Camp responded that he would follow up and potentially return to court where the judge could perhaps strengthen the order and possibly add fines. Mr. Camp confirmed that a contractor has contacted the county to discuss some plan options.

Bear's Den Historic Marker Application Update: Mr. Camp said DHR reviewed and approved 5 of the 20 applications they received and we were not selected. Mr. Camp asked if there was anything that could have done to improve our application and was told our application did not have high scores as it did not meet their underrepresented groups selection criteria nor did it intertwine with the topic they were interested in exploring. After explaining the overall situation to new HPC member, Ms. Al-Khalili, Chair Arnett said they had discussed possibly protesting the approval limit of 5 applications per year. Ms. Kalbian said DHR was administratively overwhelmed due to the backlog during COVID and also if we needed to re-apply later on or just forward on the current application. Mr. Camp said the DHR representative has yet to reply.

Other: Mr. Camp noted the information that was passed out regarding information on grants and that it looked like CLG are coming up in the fall or winter but no precise dates are given.

Ms. Kalbian said she has met with the Town of Berryville regarding the Paul Bruhn Historic Revitalization Grants Program possibilities for Josephine Street.

Mr. York asked if there was anything grant-related the HPC could do regarding fish weirs. Ms. Kalbian said she has discussed this with the archaeologists and DHR about it and suggested that underwater archaeologist come look at the river. She said this would finalize the discussions surrounding whether or not it is a fish weir or something associated with the mill. She suggested that perhaps we could look into getting a state grant versus federal. She added that most of the historically significant properties in the county were listed in the 1960's and 1970's that do not fully address the complete history and noted there is an underrepresented community grant program that takes existing national register nomination and updates them. She said the problem is the houses are now privately owned. Chair Arnett asked if Ms. Kalbian could compile a list of the properties that she thought we should target for that potential grant.

Historic Consultant's Report

Ms. Kalbian said the book is coming along and noted she had provided a sample copy for the Commission to review. She then asked Mr. Camp if he had reached out to Aubrey who will extend the deadline to December. Mr. Camp said he had but the email had some technical errors so he had planned to call her instead.

Ms. Kalbian noted she worked with the consultants on the court house a few months ago regarding the grounds. She said she found the board of supervisors meeting minutes in the courthouse basement from when the concrete sidewalks went in. She said she was looking for site plans but could not find them.

Ms. Kalbian said she made comments regarding the Carter Hall land use plan that was submitted. Mr. Camp explained that the owner submitted a special use permit and site plan application for a country inn and that while Carter Hall is not in a Historic District, it has its own national register and they had asked Ms. Kalbian for comments to ensure the new plan would not disrupt the historic character of the property. He noted this was paid for by a separate consultant fee funding.

Battle of Berryville Grant

Chair Arnett said the two deliverables from the project were the report and the PIF (Preliminary Information Form) that was submitted to DHR. Ms. Al-Khalili asked if there were any other comments from citizens with the same report inconsistencies concerns as Ms. Byrd. Ms. Kalbian said professionals reviewed the first draft and as there were some issues, they were resolved within the second draft. She said she felt like they could have done more and that the research was not as strong as she would have liked it to be.

Chair Arnett said the question is to accept or deny the report and to decide whether the PIF should be forwarded to DHR. Chair Arnett asked if everyone was satisfied with the final report from RGA and noted she did not think we could go back to them at this point and ask for further efforts. Chair Arnett confirmed there are two separate action items to consider. One is to accept the letter as is and close out the grant and the second item is deciding on whether or not to forward the PIF to DHR. She said she still believes that it is a good product but believes it might be flawed.

Chair Arnett entertained a motion to accept the final report as is by Richard Grubb & Associates, Inc. Mr. York moved to accept the report and Ms. Berger seconded.

Chair Arnett said she thought the contractual obligations were met to which Ms. Catlett agreed that we needed to pay in good faith. Chair Arnett said RGA prepared a PIF but that accepting the report does not obligate us to pursue a national register nomination or a nomination to the Virginia landmarks register. She continued that even if we move forward with the PIF we would need funding to write it. Chair Arnett asked for confirmation in that there has not been a lot of support from this body to move forward with a national register nomination for the battlefield. Mr. York commented he did not believe so at this stage. Ms. Al-Khalili asked if it would involve more community input and if people want this to become part of the national registry. Chair Arnett said they have heard from people who want to know more or from people who are vehemently opposed.

Chair Arnett said she believed the body wishes to accept the report and the draft PIF from the consultants and that is it for the time being.

CLG/other Grant projects

Discussion of future projects/applications: Chair Arnett said CLG grants are due in March or May of next year so we need to start thinking of what we might apply for and suggested that we have a discussion on this during the next meeting in September with a list of possible applications for CLG grants. Mr. Camp noted that a budget discussion needs to be discussed as well.

Old Business

Demolition Criteria Ordinance – Chair Arnett said she spoke at the Planning Commission’s public hearing and that there were no questions. Mr. Camp confirmed that the next step for the demolition ordinance is to go before the Board of Supervisors and then they would hold a public hearing in September. While she will

be out of town for part of September, Chair Arnett hopes to be present and speak at the meetings on behalf of the commission.

Commissioner Comments

Ms. Kalbian received a call from a citizen in Millwood asking if the county provided any type of financial assistance as his roof was leaking. He said he had received quotes for \$40,000 for a standing seam metal roof replacement and \$24,000 for asphalt shingles. She said that while this property is not in a local historic district but was curious to know what happened with help with housing or community fund that could help with some of these houses. Ms. Catlett said that while help with housing program no longer exists, the funds go toward Habitat for Humanity and suggested the Millwood Community Association to be an avenue for help. Chair Arnett asked if the Paul Bruhn grant would be applicable in this situation to which Ms. Kalbian said no because with that type of grant there is a pool of money to start with and that while there is a lot of effort involved, it could address a lot of the demolition by neglect issues.

Adjournment

There being no further items to discuss, the Historic Preservation Commission adjourned unanimously at 5:15PM. Mr. York moved to approve the motion, seconded by Ms. Berger.

Betsy Arnett, Chair

Kristina Maddox, Clerk



Clarke County Planning Department

101 Chalmers Court, Suite B

Berryville, Virginia 22611

(540) 955-5132

www.clarkecounty.gov

TO: Historic Preservation Commission

FROM: Jeremy Camp, Senior Planner / Zoning Administrator

**RE: Certificate of Appropriateness Application
279 White Post Road (Tax Map #28A-A-40)**

DATE: September 14, 2022

A public hearing is scheduled for the September 21st HPC Meeting for consideration of the above-referenced Certificate of Appropriateness application. The project consists of reroofing, adding gutters, and window replacement. The application is attached with this memorandum.

The subject property is located within the Historic (H) Overlay District and White Post Historic District. 279 White Post Road is classified as a contributing structure. Below is the write-up of the property from the historic district nomination form that is filed with the state and national registers.

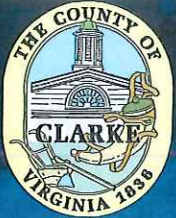
21-66-17 Lot 40: wood frame (German siding); 2 stories; gable roof (standing seam metal); 3 bays; 1-story, 3-bay porch with shed roof, square posts with brackets. Detached house. Vernacular. ca. 1870s. Bay window in north end with bracketed cornice. This house is one of two which are similar in design, size and plan, yet with more sophisticated details.

The reroofing started without a Certificate of Appropriateness. Staff notified the owner and contractor and activity was ceased and an application was filed. It was later learned that the applicant wanted to also replace the windows and add guttering so the application was amended to include those changes.

Pursuant to 6.2.5 of the Clarke County Zoning Ordinance, the HPC has the responsibility of reviewing major alterations within the Historic Overlay District and issuing approval of Certificates of Appropriateness when the proposed work satisfactorily meets the ordinances criteria. 6.2.5B-2 further specifies that repair or replacement of roofs qualifies as a major alteration.

A public hearing is required for major alterations, which includes window and roof replacement. A public hearing was advertised for the subject application. The advertisement was run in the local newspaper on September 7, 2022 and September 14, 2022. Prior to action on this application the HPC should consider input from the public that may be received during the public hearing.

The County's Historic Consultant recused herself from review of this application due to a conflict of interest. A blank copy of the review checklist is attached. Staff has no objections with this application if the HPC finds that the project complies with the review checklist.



Zoning Permit Application

General Information

Date: 8-9-2022 Tax ID#: 28A A 40
 Zoning District: RR/H Lot Size: .5 acres
 Site Address: 279 White Post Road
 Property Owner's Name: Lorie McKay
 Property Owner's Mailing Address:
 Applicant's Name: Luther Riggleman / Peak Roofing Contractors
 Applicant's Mailing Address:
 Phone: 540-771-0404 Email: mckayfields@gmail.com

Proposal Description

Describe the proposed use and structures, then select the appropriate categories listed below.

Reroofing 279 White Post road. Existing metal to metal roof. Standing seam. Black.

Also, adding guttering & replacing windows.

<input type="checkbox"/>	New Single Family Dwelling	<input type="checkbox"/>	Change of Use	<input type="checkbox"/>	Electric
<input type="checkbox"/>	Garage, Attached	<input type="checkbox"/>	Remodel	<input type="checkbox"/>	Plumbing
<input type="checkbox"/>	Garage, Detached	<input type="checkbox"/>	Deck with Roof	<input type="checkbox"/>	Bathroom
<input type="checkbox"/>	Addition, Heated	<input type="checkbox"/>	Deck without Roof	<input type="checkbox"/>	Kitchen
<input type="checkbox"/>	Addition, Unheated	<input type="checkbox"/>	Agricultural (add form)	<input type="checkbox"/>	Bedroom(s)
<input type="checkbox"/>	Storage Shed	<input type="checkbox"/>	Pool, above-ground		
<input checked="" type="checkbox"/>	Other: COA - roofing	<input type="checkbox"/>	Pool, in-ground		

Proposed Setbacks & Height

Complete all applicable blocks for proposed project. Write N/A if not applicable.

Measured to the closest point	Provided (Actual) (Distance in Feet)	Required (Ordinance) (Distance in Feet)
Front Property Line	N/A	
Side (Right) Property Line	N/A	
Side (Left) Property Line	N/A	
Rear	N/A	
Edge of Private Access Easement	N/A	
Springs/Sinkholes/Perennial Streams	N/A	100 Feet
Intermittent Streams or Wetlands	N/A	Depends on District ()
Maximum Height	N/A	
Maximum Impervious Surface	N/A	
Well Setback (See Clarke County Code Ch. 184)	N/A	50 Feet - All Structures 100 Feet - Termite Treated



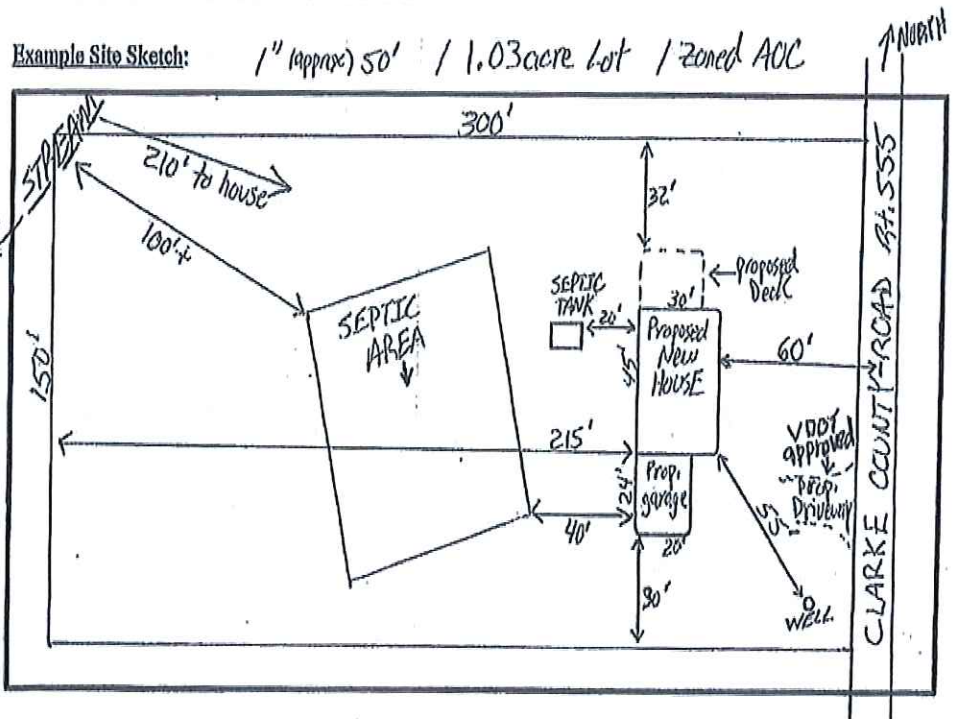
Zoning Permit Application (continued)

Additional Property Information

Flood Plain District	Yes		No	X
Historic District	Yes	✓	No	
Certificate of Appropriateness (if Yes, provide documentation of approval)	Yes		No	
Conservation Easement (if Yes, provide documentation of approval)	Yes		No	X
Conservation Easement Holder Name:				
Public Water	Yes		No	
Public Sewer	Yes		No	
Private Well (Contact utility for Information)	Yes		No	
Onsite Septic System (Contact Health Dept. for Information)	Yes		No	

Site Sketch

A site sketch is required. The required site sketch must accurately show all existing lot features as well as the proposed structure(s) and/or use(s) with measurements provided to the closest points of ALL applicable items noted on Page 1 of this permit application. In addition to those items, measurements must also be provided to the septic tank, septic system, and any utility, drainage, or other easements. All required setbacks and information must be shown prior to approval. Survey plats may be found at the Clarke County Circuit Court. County GIS maps can be found at <https://mapsonline.net/clarkecounty>.



Signature of Applicant

Date

Office Use Only

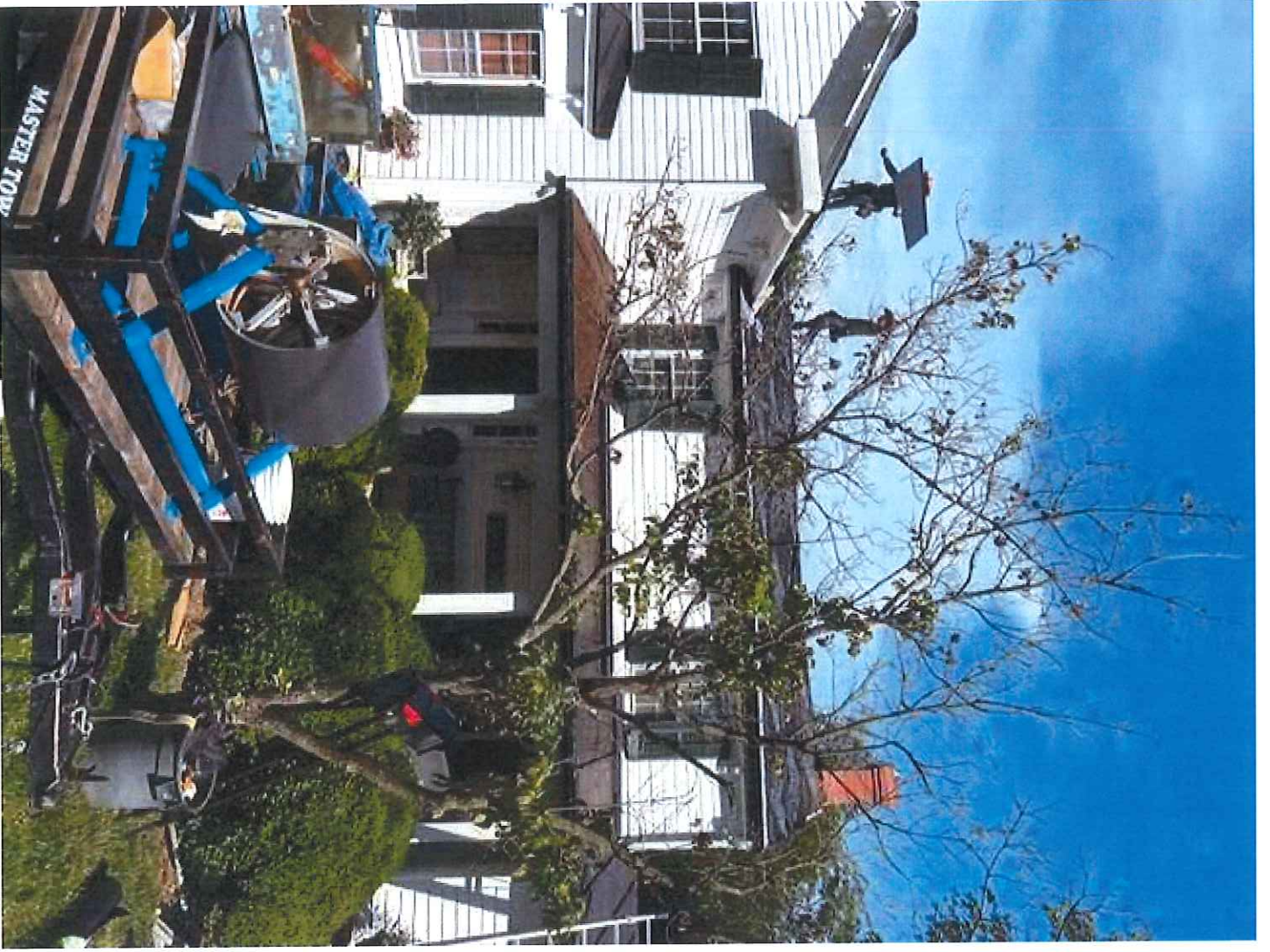
ACTION TAKEN: _____ **FEE:** _____ **DURS USED:** _____

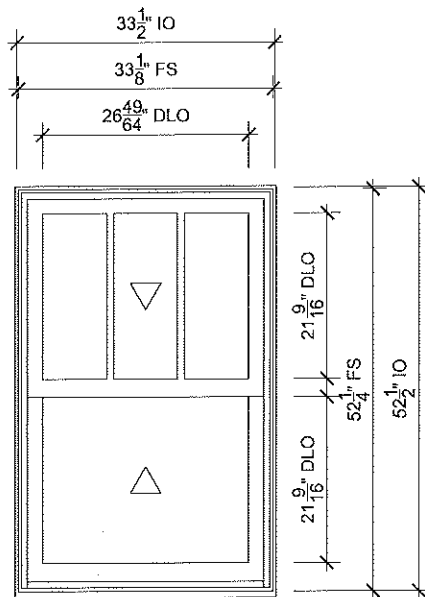
COMMENTS: _____

Zoning Administrator

Date

GIS Acct #





FR #2

SCALE: 1/2" = 1'-0"

- $\frac{1}{2}$ Head
- $\frac{2}{2}$ Jamb
- $\frac{3}{2}$ Sill
- $\frac{4}{2}$ Divided Lite
- $\frac{1}{3}$ Check Rail

FOR DESIGN INTENT ONLY, NOT FOR MANUFACTURE.

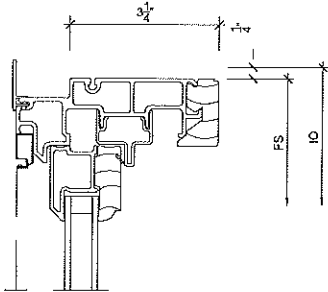


PROJ/JOB: Lorie / McKay
 DIST/DEALER: OTTER CREEK MILLWORK
 DRAWN: TOM MCLEOD
 QUOTE#: WJRARMC

PK VER: 0003.15.00

CREATED: 08/17/2022 REVISION:

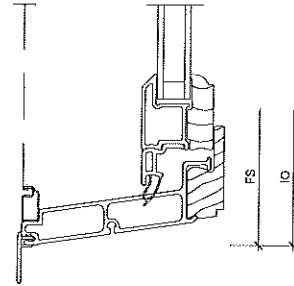
SHEET
 1
 OF 3



1
2

Head

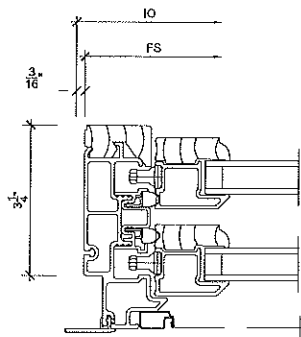
SCALE: 3" = 1'-0"



3
2

Sill

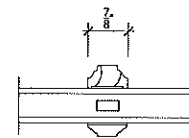
SCALE: 3" = 1'-0"



2
2

Jamb

SCALE: 3" = 1'-0"



4
2

Divided Lite

SCALE: 3" = 1'-0"

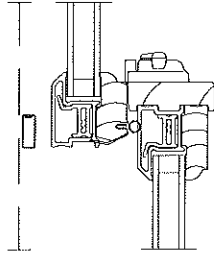


PROJ/JOB: Lorie / McKay
 DIST/DEALER: OTTER CREEK MILLWORK
 DRAWN: TOM MCLEOD
 QUOTE#: WJRARMC

PK VER: 0003.15.00

CREATED: 08/17/2022 REVISION:

SHEET
 2
 OF 3



1
3

Check Rail

SCALE: 3" = 1'-0"

3
3

NOT USED

SCALE: 3" = 1'-0"

2
3

NOT USED

SCALE: 3" = 1'-0"

4
3

NOT USED

SCALE: 3" = 1'-0"



PROJ/JOB: Lorie / McKay
DIST/DEALER: OTTER CREEK MILLWORK
DRAWN: TOM MCLEOD
QUOTE#: WJRARMC PK VER: 0003.15.00

CREATED: 08/17/2022 REVISION:

SHEET
3
OF 3

Zimbra**jcamp@clarkecounty.gov**

RE: McKay

From : McLeod, Tom <Tom@ottercreekmillwork.com>
Subject : RE: McKay
To : Jeremy Camp <jcamp@clarkecounty.gov>
Cc : mckayfields <mckayfields@gmail.com>

Wed, Aug 17, 2022 11:24 AM

 1 attachment

From: Jeremy Camp <jcamp@clarkecounty.gov>
Sent: Wednesday, August 17, 2022 11:15 AM
To: McLeod, Tom <Tom@ottercreekmillwork.com>
Cc: mckayfields <mckayfields@gmail.com>
Subject: Re: McKay

Hello,

Thank you.

The details lack some basic information I think the Historic Preservation Commission will need.

Can you clarify/answer the following questions?

What are the windows made out of? Elevate windows are Fiberglass exterior with acrylic finish, wood interior

What color are the windows? Stone White

What color are is the trim around the windows? Stone White

Will the windows be of the same size as the existing windows? Sized to fit into the existing opening.

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

From: "McLeod, Tom" <Tom@ottercreekmillwork.com>
To: "Jeremy Camp" <jcamp@clarkecounty.gov>

8/29/22, 3:58 PM

Zimbra

Cc: "mckayfields" <mckayfields@gmail.com>
Sent: Wednesday, August 17, 2022 10:39:06 AM
Subject: McKay

Jeremy

Lorie McKay asked that I send you window elevation and bar detail. Please feel free to call with any questions.

Regards,



“Your Window And Door Specialist”

Tom McLeod
Office: 540-837-9351
Fax: 540-837-9353
10 S. Greenway, Boyce, Va 22620

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