

STAFFORD COUNTY ARCHITECTURAL REVIEW BOARD MINUTES

December 5, 2016

The meeting of the Stafford County Architectural Review Board of Monday, December 5, 2016, was called to order at 6:07 p.m. by Chairman Paul Eakin, in the ABC conference Room of the George L. Gordon, Jr., Government Center.

MEMBERS PRESENT: Eakin, Range, Gossett, McAdams and Osborn

MEMBERS ABSENT: Dodgen and Bailey

STAFF PRESENT: Baker and Knighting

GUEST PRESENT: None

CALL TO ORDER.

Mr. Eakin called the meeting to order and asked Ms. Knighting to call roll.

ROLL CALL OF MEMBERS

Ms. Knighting called the roll and stated there was a quorum with five of the seven members present.

PUBLIC PRESENTATIONS

None

NEW BUSINESS

1. Falmouth Overlay Zoning

Discussed after item 2

2. Clearview Conditional Use Permit

Ms. Baker stated Mr. Sale was in his 90s and his daughter is the applicant for a Conditional Use permit for a wedding venue. Mr. Sale wants to keep the property in the family and be able to afford to maintain and utilize the property. She stated the proposal would not include the house but to add on to the back side of the barn. She stated the applicant would go for a Certificate of Appropriateness at some point, but thought it would be better to go before the Planning Commission first in case they have concerns with the proposal or if changes are required to the layout. She stated the project was scheduled for public hearing with the Planning Commission December 14, 2016, but thought she would review the application with this Board to see if there was any feedback. She stated the existing driveway comes into the property and circles around. The applicant wants to put perpendicular parking spaces around the circle. Staff and the Historical Commission recommended gravel parking rather than hard surface, which would require a waiver from the Board of Supervisors. She stated the Historical Commission looked at this last week and liked the idea and don't have any real concerns since construction is proposed for the back side of the barn and not impede on the view of the house as you enter the property. She stated it would probably be a year-round venue with meeting space in addition to the wedding venue. She asked if there were any questions.

Mr. Osborn asked if the property owner had discussed the possibility of sharing the parking lot with the church.

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Ms. Baker stated no, and possibly because there was a steep hill.

Ms. McAdams asked if a traffic impact statement had been provided.

Ms. Baker stated she was not sure, and was not sure if a traffic impact statement would be required with the proposed use.

Mr. Range asked what the barn looked like.

Ms. Baker stated she would pull up an aerial photo.

Ms. McAdams stated as part of the proposal the person renting the venue would have to provide port-a-johns, which could cause quite an odor in the summer months.

Ms. Baker showed a photo with the view that looks towards the river, another view of the driveway as you enter the property and the barn. She stated the applicant would have to widen the entrance to meet VDOT standards.

Mr. Range asked if there was any information concerning how to make it safe when pulling out of the driveway.

Ms. Baker stated they will have to get a commercial entrance through VDOT and meet all of the standards, including things such as site distance.

Mr. Eakin stated this Board was more concerned with the existing building and property and the plans for that.

Ms. Baker agreed.

Mr. Range stated he was confused about parking when he read the application. He asked if all parking would be in the grass.

Ms. Baker stated it depends on the number of people for maximum capacity. There will be a certain number of required parking which has to meet certain standards. She stated if parking is in the grass, they could use grass pavers, which provides a solid foundation that allows grass to grow through the rings and the vehicles will not tear up the grass. She stated some of those things are still in discussion.

Mr. Range asked if there were any historic preservation items concerning the view or if they do any digging.

Ms. Baker stated because this is a conditional use permit this is an opportunity to give recommendations, comments or suggestions, even if you cannot require it to be done. She stated the Planning Commission was probably going to ask if the ARB had made comments. She stated the suggestions could be made now or if they wanted to discuss it next month to allow more time for review, that was a possibility also.

Ms. Gossett asked if Ms. Baker had any idea of the projected usage.

Ms. Baker stated when the applicant first came in with the proposal it sounded as if the weddings would be every Friday, Saturday and Sunday, and possibly allow meetings and other events to be held during the week.

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Ms. Gossett stated her two biggest concerns were the cultural landscape and the archeological features of the property. She stated she would recommend the drive remain in the existing alignment because it was a cultural landscape feature of the property, but it could be widened. She suggested if the driveway was widened it should be built up and not graded down, so the archeology would not be impacted. In building the addition on the barn she would request an archeologist be on site during digging because she feels the entire site is an archeological site. General Hooker was there during the Civil War, gun placements, soldiers everywhere as well as a moderately sized Virginia plantation from the 18th Century. As far as parking, she agreed with the property owner, and prefers parking on the grass, but the problem is it will be torn up when it is wet. Commercial vehicles will be coming in and out and could impact a lot of soil. She said she was very concerned about the archeological sensitivity of the site. She understands wanting to cut the trees down to clear the view to the river, but her next question would be how it would affect the stormwater requirements.

Ms. Baker stated up to 2,500 square feet of land disturbance was allowed. She stated it was clear at one time. But the environmental impact would have to be addressed at the site plan stage.

Mr. Range suggested the upper parking at Falmouth Baptist is not used very often and he suggested working out an agreement with the Church that would alleviate the concern of parking on the grass. He stated it was steep, but there was no reason steps could not be installed, with an archeological survey.

Ms. Gossett stated again if they were going to dig to install electric in the barn it would be ideal to have an archeologist on site.

Mr. Osborn stated he felt this was something Stafford County would want for the area, which should help commercial facilities in the area. He asked how many weddings does Belmont have a year.

Ms. Baker stated she did not know.

Ms. Gossett stated she liked the idea but hoped they would reduce the capacity from 300 to 200 because every additional person will have additional impacts on the property.

Mr. Range asked if the house would be open for the events.

Ms. Baker stated the plan was to have the house remain private.

Mr. Osborn stated the big thing with the youth today is to get married in a barn.

Ms. Baker stated she would have to check to see if they received input from the Health Department and if it would be allowed to have portable toilets at this location.

Ms. Gossett stated the property was individually listed on the National Register and gave a brief description of the Register and the process after the National Historic Preservation Act was passed. She stated this nomination talks mainly about the house, but it also talks about the outbuildings and the Civil War history.

Mr. Eakin stated if the house was not going to be part of the venue, it is being relegated as a secondary and not the primary on the property.

Ms. Gossett stated it would be great if Mary Washington would do an archeological survey so the location of the outbuildings would be known and those areas could be avoided or the potential for reconstruction. She

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stated what she thinks Mr. Eakin was saying was to ask the property owner keep the property designed in such a way that has a minimalist presence relative to the main house.

Mr. Range stated it looks like the trees will block the view of the addition on the barn. He asked if you saw the rear of the house when entering the driveway.

Ms. Gossett stated the land entrance to the house is the primary entrance, the front with the portico and the grand view is really the back of the house. She stated it was a clear understanding that people would arrive in their carriages on the driveway side and then you present the fabulous view on the other side of the house.

Mr. Eakin stated he would like to know the plans with the main house.

Ms. Baker stated they want to keep up the house and this is providing them the opportunity to do that. She stated she did not know if anyone was living there, she stated she knew Mr. Sale was not but she did not know if any other family member was.

Ms. Gossett stated if they want an income producing property, because it was a National Register property they could get federal and state tax credits.

Mr. Eakin stated it would be nice to know their plans for the house.

Ms. Baker stated she would find out.

1. Falmouth Overlay Zoning

Ms. Baker stated the ARB has already discussed the overlay, but she wanted to brief everyone on the Board of Supervisors status. She stated the Board of Supervisors adopted the Falmouth Overlay District, and now they have authorized the County Administrator to go through the rezoning process to assign the overlay to all of the parcels within the map. Staff will create the application and a letter to the owners explaining what the new overlay district would allow and allow them to opt out if they do not want to be part of the blanket rezoning. If they opt out, they have the option of rezoning at a later date but would have to pay all of the associated fees.

Mr. Eakin asked why the County would take the position of offering a property owner the option of not doing something that has been decided is in the best interest of the county. He asked if that would be spot zoning.

Ms. Baker stated that is what the Board of Supervisors opted to do, just like with the Historic District. She stated it was just an overlay zoning and was not changing the underlying zoning.

Mr. Range stated it would allow certain types of businesses and still maintain the historical integrity.

Mr. Eakin asked by giving a property owner the option to opt out, what that would do for everybody.

Ms. Baker stated there are still practical reasons that you would want the overlay zoning because it gives more flexibility with reduced parking, waivers of building setbacks and those things. If somebody wants to take advantage of it, it would be in their best interest to do it now.

Mr. Range asked if it would be easier to transition from residential to commercial.

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Ms. Baker stated it could, because you will have flexibility, but the uses are more limited.

Ms. Gossett stated the Falmouth area will have two overlay districts and asked what would happen when they conflict.

Ms. Baker stated they were two different things. The ARB ordinance deals strictly with the architectural features and things like that. She stated she did not see where there would be any conflict because everyone will have to go through the ARB regardless if you are in the actual Historic District.

Ms. Gossett asked if this would increase property values.

Ms. Baker stated she was not sure that it would, the goal is to maintain the existing buildings.

Mr. Eakin stated it could potentially, if you had a situation where you have an apartment upstairs, for example, and then you would have an income producing property which could add value.

Ms. Gossett stated she was concerned about the potential for the purchase of more than one property and then a request would come in to tear down something that may not be potentially historic, like the small houses across from the Union Church and in this redevelopment area and ask for a larger structure with parking. She stated that idea could alter the character of the district and that is her only concern. She thinks it is great to encourage business in Falmouth, but she has seen incentives hurting historic districts.

Ms. Baker said the property owners will have to abide by ARB standards, Secretary of Interior standards, limitations on buildings heights and such.

Ms. Gossett stated she feels the design guidelines need to be updated. She asked if there was something for Dunbar Kitchen.

Ms. Baker stated the conversation will segue into that.

Ms. Gossett stated she was concerned about flipping a use and or consolidating parcels and putting things back together that would not be in character.

Mr. Range asked how it would affect existing uses that fall under prohibited uses in the future.

Ms. Baker stated they would be legal non-conforming and could remain as long as they continue that use.

Mr. Eakin stated they would have to be out of there for two years.

Ms. Baker asked the ARB to review the information and give her any comments. She stated she thought it would be March before it goes before the Planning Commission.

Mr. Eakin asked for an update on the Counting House before the meeting was over.

Ms. Baker agreed and moved on to the rezoning application which included Dunbar Kitchen and the two properties next to Mr. Range's house. She referred to the items she handed out, page 6 was the actual plan and page 7 was the applicant's desire for the finished product, which includes going on to the adjacent property currently owned by VDOT.

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Mr. Eakin asked if a property was taken by eminent domain it could not be used for development in the future by a private individual.

Ms. Baker stated the three properties located on Butler Road would be going to the County, which was part of the Falmouth Intersection agreement, but the County has requested the property which was the car dealership. If the County were to obtain that property, it could potentially be parking area. She stated the property on Butler Road would have to be used for something in regard to historic preservation, which includes parking to support tourism. She stated this application should be going to the Planning Commission for public hearing in February or maybe March. She stated page 6 shows the Dunbar Kitchen, the applicant is not proposing any exterior changes, and want to turn it into a real estate office. The plan is to keep the other existing buildings on the property and not make any exterior changes. The interior will have to be upgraded to meet commercial standards. Currently there are no actual plans for any of the buildings other than Dunbar Kitchen. She asked the members to look down along Gordon Street, and stated the applicant is proposing to maintain the two existing buildings and potentially use those for offices. The applicant is proposing parking along the strip perpendicular to Gordon Street, but VDOT will not allow that. She stated the applicant will have to find another means for parking, which may entail construction of the parking area, the county planned at one time, on the other side of Historic Port of Falmouth Park.

Mr. Range asked why VDOT would not approve the parking on Gordon Street.

Ms. Baker stated VDOT does not allow this type of off street parking where you are backing into a state maintained road.

Mr. Range asked about the proposed sidewalk.

Ms. Baker stated it was in their proposal to extend sidewalk all the way down.

Mr. Range asked where patrons would park for the proposed offices.

Ms. Baker stated the applicant could potentially construct the additional parking at the Historic Port of Falmouth Park. At one time the county had the plan for additional parking, but there were no funds available, but if someone else is willing to install it.

Ms. McAdams asked if Dunbar Kitchen had a basement.

Ms. Baker stated she had no idea.

Ms. McAdams stated she was told it does and now there is water standing in the basement.

Ms. Baker stated the building inspector would likely have something to say about that. She stated the applicant is proposing the parking areas to support the uses. She asked the ARB to look on page 7; the applicant's ultimate desire is to utilize parking in the off parcels.

Mr. Range stated the intersection is finally looking beautiful and now turn it into a parking lot.

Ms. Baker stated this is the applicant's desire, it is not a guarantee. They are showing this for conceptual purposes only. She stated staff was meeting with the applicant later in the week to discuss some of the issues. She stated the Historical Commission provided some general comments, archology being a great concern and also a massive paved area around one little historic structure.

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Mr. Range stated he liked the idea of using the existing structures and renovating them. He stated the ARB will get to review and approve the exterior renovations and make sure they meet the standards. He stated the parking lots were very disheartening.

Ms. Gossett stated the town was laid out in rectangular parcels perpendicular along the streets. She stated in combining the four parcels they are completely losing the town plan, sense and feel. She stated the town is coming up on 300 years old and she felt keeping the buildings was good but she would like to see the design elements maintain the linear town plan, and a good landscape architect could do that.

Mr. Eakin stated he was concerned about the increased traffic on Carter Street.

Mr. Range stated as a resident in the area exiting Carter Street takes time and patience. He stated he felt most of the concerns the ARB had were good concerns, but he was not sure they were within their purview.

Ms. Baker stated if the members would like to think about it and come back to the next meeting with some formal comment, she would be happy to pass them along.

Mr. Eakin asked why the applicant would have to request a setback waiver.

Ms. Baker stated because they want to change the zoning. And the new overlay would actually allow the waivers.

Mr. Eakin asked for an update on the Counting House.

Ms. Baker stated she first wanted to let everyone know Brad Johnson was retiring at the end of the month, and he will be turning the Counting House over to her. She stated the Memorandum of Understanding has not been recorded yet; the property owner has to come back with baseline documentation. She asked Mr. Johnson to let her know why that is not progressing. She stated they would have a meeting next week to discuss the project.

UNFINISHED BUSINESS

3. Aquia Church Lighting

Mr. Range asked if the subcommittee could be reformed to include Mr. Osborn, to allow for better communication with the church and find an appropriate time. Also to see if it would be appropriate to remove the two offending light posts if there are enough lumens without those lights. He stated he was willing to do the site survey, not as a member of the ARB, but as a person who has the expertise and the equipment to do the survey.

Ms. Baker stated she did not feel Mr. Osborn should be on the subcommittee.

Mr. Range asked if he could coordinate with the church.

Ms. Baker stated anyone could coordinate with the church.

Mr. Range stated he was not sure the best way to proceed. He stated they need to coordinate with the church and find available dates to have the survey done that meets the schedule of the subcommittee. He asked if

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Mr. Osborn could explain to the church what the ARB wanted to have done and ask if they are willing to proceed.

Mr. Osborn stated as a Trustee of the church, he could coordinate with the Junior Warden.

A brief discussion ensued concerning meeting dates and times, the length of the inspection and details of what would actually take place during the inspection.

Mr. Osborn suggested Mr. Range put everything in writing, what the test would entail and the estimated amount of time involved, and he would present it to the church.

Mr. Range agreed, but stated he wants it understood he was not doing the survey as a member of the ARB, he is volunteering because he has the expertise and the certification to do the survey.

Mr. Eakin asked if something were to happen to cause damage, would the ARB have liability.

Mr. Range stated all the ARB is asking is that the survey be done to determine if the two lights nearest the church were necessary. The church will need to be willing to accept the risk. He stated as an individual, he would write up an energy related proposal that would include his license, credentials and the technical nature of what would be done. Then the church would have to decide if they want to accept the risk of the survey. If the church does not want to accept the risk, then the subcommittee is done. He stated the two light posts in front of the church are not historically accurate and disturbs the historic value of what is seen as Aquia Church.

Ms. Baker stated there is still the option that the church can have their lighting engineer come out and do the work.

Mr. Eakin stated to clarify he was not questioning Mr. Range's credentials or ability. But if someone could say the survey was done because of the ARB, you are on the ARB and if something goes wrong the County may be liable.

Mr. Range stated that is why it has to be clear that the church needs to accept the liability.

Ms. Baker stated they had a lighting plan done and she does not know the process. If they have already paid someone, could they look at the plan and do an estimate.

Mr. Osborn stated he would ask, or perhaps their engineer could meet with Mr. Range and review the plans.

Mr. Range asked if a waiver would be required to remove two lights.

Ms. Baker stated yes, if it does not meet the requirements and present information. They would still be required to have sufficient lighting to meet safety standards. She stated the lighting standards have changed.

Mr. Osborn asked Mr. Range to put everything in writing, he will forward it to the church, the church can get with their electrical engineer and get a response and work out details.

Mr. Range for a records purpose he would like to say the ARB is requesting Aquia Church do a lighting survey to determine if the two lights are required per the subcommittee.

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Ms. Baker stated everything is on the record.

REPORTS BY ARB MEMBERS

Ms. McAdams stated she went to a meeting in October held in Fredericksburg concerning grant money and how to write grants. It was very interesting and they visited a garage on George Street with an apartment over the garage.

Ms. Gossett asked if the training requirements were being tracked.

Ms. Baker stated she has asked the members to advise her any time they attend training. She asked Ms. McAdams to send her an email the information concerning the training. She stated she has not received the request for reporting from the state office yet, which is typically due in November.

Mr. Range stated he asked VDOT to look into the no truck signs for the lower part of Falmouth and they will reinstall the missing signs.

Ms. Gossett asked if there was any update concerning the school on Butler Road.

Ms. Baker stated no.

Ms. Gossett asked if there was an update on the property Mr. Eakin sold.

Mr. Eakin stated the Design Studio was under contract to purchase but they could not meet the parking needed. The current owner, Mike Degen, was thinking about putting apartments there.

APPROVAL OF MINUTES

October 3, 2016

Ms. McAdams stated she would abstain from voting since she was not present at the October meeting.

Mr. Osborn made a motion to approve.

Ms. Gossett seconded.

The motion passed 4 – 0 (Mr. Dodgen and Mrs. Bailey were absent, Ms. McAdams abstained).

2017 MEETING SCHEDULE

Ms. Baker stated the regular meeting date would be January 2, 2017 and that is a county holiday.

Mr. Eakin stated the only two meeting dates in question were January 2, 2017 and September 4, 2017. He suggested moving the meeting to the following week.

Mr. Osborn made a motion to change the January meeting date to January 9, 2017 and September meeting date to September 11, 2017.

Ms. Gossett seconded.

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The motion passed 5 – 0 (Mr. Dodgen and Mrs. Bailey were absent).

ADJOURNMENT

Mr. Range made a motion to adjourn.

Ms. McAdams seconded.

The motion passed 5-0 (Mr. Dodgen and Mrs. Bailey were absent).

With no further business to discuss, the meeting was adjourned at 7:35 p.m.