TOWN OF WARRENTON

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DRAFT MINUTES

ARCHITECTURAL REVIEW BOARD

TOWN OF WARRENTON

August 25, 2016

7:00 P.M.

The regular meeting of the Town of Warrenton Architectural Review Board (ARB) convened on August 25, 2016 at 7:00 PM in the Municipal Building.

Mr. James Tucker, Vice-Chair, called the meeting to order and a quorum was determined. The following were present: Dr. Carole Hertz, Mr. Carter Nevill, Town Councilman Alec Burnett. Ms. Kelly Machen, Community Development Planner was present and represented staff. Absent were: Dr. Melissa Wiedenfeld, Chair and Mr. Steve Wojcik.

Purpose Statement

The Purpose of the Architectural Review Board is to make a decision on applications in order to preserve the character of the Historic District of the Town of Warrenton on behalf of the Town of Warrenton. Decisions of the Board are based upon the Historic Guidelines and a decision for each application is made based upon its own merits. Those decisions do not constitute precedence for any future decisions. The Historic Guidelines provide the framework for consistent decision making by elaborating upon the Zoning Ordinance's goal to identify, protect and preserve the buildings within the Historic District boundaries.

Approval of Minutes

Mr. Tucker presented the minutes from the meeting of July 28, 2016 for approval.

Mr. Nevill made a motion to approve the minutes of the previous meeting.

Dr. Hertz seconded the motion and the motion passed. (3-0)

Old Business

- **Amendment to Certificate of Appropriateness 2016-26:** Proposed building colors for 41 Beckham Street, Applicant Cris Bezdek, Wort Hog Brewing Company Partner.

Cris Bezdek approached the podium to address the Board. He presented the Board with samples of the colors to be used at 41 Beckham Street. He said the proposed building colors are Cozy Red, Minwax Dark Walnut, and Ambitious Amber. Those colors will be used as follows: Cozy Red- trim

on top of the building; Ambitious Amber- walls and Dark Walnut-wooden timber trellises. Mr. Bezdek added that the new colors presented a more inviting character to the building.

Board members queried Mr. Bezdek on issues regarding the proposed building colors for 41 Beckham Street and Mr. Bezdek provided answers.

Mr. Tucker asked if the sail colors would remain the same as were previously presented.

Mr. Bezdek said no.

Mr. Nevill said nowhere in the Historic Guidelines does it state that the ARB has purview over color determination. He stated he appreciated the applicant's time to present it to the Board; it was his opinion that the colors are of the applicant's choice and encouraged the applicants to proceed.

Dr. Hertz said she agreed with Mr. Nevill.

Mr. Tucker said he went over this at a previous meeting and it is stated in the Historic Guidelines that colors are to be submitted for ARB review.

Mr. Nevill asked for someone to provide the specific Historic Guidelines referencing colors.

Ms. Machen said that the issue of color was in the Zoning Ordinance. She said she would have to look up the previous meeting's minutes regarding what Mr. Tucker went over.

Mr. Tucker said we can resolve the issue after we resolve this application. Nevertheless, he said, the applicant's sail colors are not before the ARB tonight. They came before the ARB previously and if the applicant wants to alter what was presented previously and approved, the applicant would have to come back if this Board determines that the ARB has purview over colors. He said the ARB has two members state they don't believe the ARB has purview over colors, so he did not believe either one will make a motion to approve the application with the colors presented.

Mr. Nevill said he would like to allow the applicant to move forward with the colors they have selected. The ARB determined the colors are harmonious and complimentary and they meet the stated style suggestions. He said he didn't believe this needs a motion or approval to move forward, however, if it is the Board's decision this should be the case, he would defer to the Chair.

Mr. Tucker said he would like to hear a motion, that should Mr. Nevill be correct regarding colors, that the ARB waive review of the colors tonight and exempt the sail colors because they are not presented. The sail colors had been presented previously and approved. However, there is talk of changing the sail colors. A motion to waive the ARB review so the Board can pass judgement on this will satisfy everyone.

Mr. Nevill moved to approve **Amendment to Certificate of Appropriateness 2016-26:** Proposed building colors for 41 Beckham Street as presented. The colors used for the building are Cozy Red, Minwax Dark Walnut, and Ambitious Amber. Pending a review of the ARB's purview over colors would determine if changes made to the colors of the sails will be brought back before the Board.

Dr. Hertz seconded the motion.

The motion passed with all voting in favor. (3-0)

New Business

- **Certificate of Appropriateness 2016-36:** Replacement of projecting sign at 81B Main Street, Melissa Hutchison, applicant.

Mr. Tucker said he did not believe Ms. Hutchison was going to be present and there is no representative. He said the application is to approve a sand-blasted wood sign which had previously been presented to the Board as a plastic sign, denied by the Board, appealed to the Town Council, and the Board's decision was upheld by the Town Council. The applicant is now reapplying for the wood sign and it can be presumed that what's presented here is the same size in terms of height and width and the same design. He said there are no issues he is aware of and the ARB does not have purview over what signs say as a result of first amendment issues and signage. He added the ARB may have purview over the size of the sign and materials, but not necessarily colors, text, or the fonts of the sign.

Ms. Kelly Machen, Community Development Planner said the Supreme Court's decision determined that if one has to read a sign to regulate it, then that is considered content-based zoning, which has been ruled unconstitutional.

Board members made comments on the sign to be replaced.

Mr. Nevill made a motion to approve application for **Certificate of Appropriateness 2016-36:** Replacement of projecting sign at 81B Main Street with the following conditions:

- A sign permit is required
- The sign materials fit Historic Design Guidelines, as have been presented in the application.

Dr. Hertz seconded the motion.

The motion passed unanimously. (3-0)

- **Certificate of Appropriateness 2016-37 –**Installation of a sign on an existing ground sign at 25 Winchester Street, Kate Brandt, tenant; Dave Colleran, applicant.

Donna Shifflett approached the podium and addressed the Board. She said she was an R.N. clinical director who was representing the home health agency company that has been in business since 1984. She said one of the company's regulations is that they have a sign that is visible. She presented pictures of the proposed rectangular-shaped sign to the Board.

Board members queried Ms. Shifflett regarding issues of the sign and Ms. Shifflett provided answers. Several Board members made suggestions to give the sign more character to enhance the Historic District.

Mr. Nevill made a motion to approve application for **Certificate of Appropriateness 2016-37:** Installation of a sign on an existing ground sign at 25 Winchester Street with the following conditions:

- A building permit is acquired.
- Design elements as suggested by this Board are added to the sign to improve it.

Dr. Hertz seconded the motion.

The motion passed unanimously. (3-0)

Work Session

A discussion was held regarding the Board having purview over colors. Mr. Tucker said the Board operates under the Zoning Ordinance. He added it is the Zoning Ordinance that gives the ARB purview to review colors by requiring their submission.

Mr. Nevill asked how often it comes before the Board in reference to someone painting a house or building.

Mr. Tucker said it is in the Ordinance that people do not have to come before the Board to repaint. But, painting masonry that has not been previously painted does come before the Board.

Mr. Nevill said as he reads the Ordinance as it is, it does not require that colors be presented. If lurid, contrasting colors are presented the ARB has policing authority because it violates common aesthetic, otherwise the ARB does not.

Ms. Machen said there is a second part to the Zoning Ordinance regarding colors, and added she would need to research a little further to find that.

Mr. Tucker said we need to find all that information and resolve the issue prior to another submission involving colors.

Mr. Nevill said he agreed and added he had inquired of the Town Attorney regarding the issue and he is waiting for clarification.

Ms. Machen, said there was one Administrative approval for an HVAC unit behind a residential building at 100 Culpeper Street, not visible from the street and screened in with vegetation.

Mr. Tucker said he wanted to discuss the issue of not being able to see it from the street. There are numerous items in the Historic Guidelines, where it does not matter whether it can be seen from the street or not, it is still to be brought before us for review. It may not be able to be seen from the street, but it still should come before the Board. He added that it may be able to be seen by occupants of a neighboring house and it is not appropriate for the Historic District.

Mr. Tucker made a motion to adjourn the meeting.

Mr. Nevill seconded the motion

The motion passed unanimously. (3-0)

The meeting was adjourned at 7:40 p.m.