

STAFFORD COUNTY
HISTORICAL COMMISSION
MINUTES

MAY 7, 2009

Call to Order. A regular meeting of the Stafford County Historical Commission was called to order by Barbara Kirby, at 3:09 P.M., Thursday, May 7, 2009 in Conference Room ABC, Stafford County Administration Center.

Roll Call. The following members were present: Barbara Kirby Vice Chairperson; Cessie Howell, Secretary; Ann Best-Rolls; Frank White and Jane Conner. Anita Dodd, Chairperson; Scott Kelley were absent.

Also in attendance were: Kathy Baker, Assistant Director, Planning & Zoning; Sam Nugent, Deputy County Attorney; Arch Di Peppe, Vice Chairman, Planning Commission; Terry Baxley Morton, Commission Clerk.

Introduction of Newly Appointed Commission Members. Barbara Kirby introduced Frank White representing the Aquia District. Scott Kelley representing the Griffis-Widewater District was absent.

Presentations by the Public. No one desired to speak.

Approval of Minutes.

Item 1. Approve Minutes of Commission Meeting. Jane Conner motioned, seconded by Frank White to approve the April 2, 2009 Commission meeting minutes with one minor correction.

The Voting Commission Tally was:

Yea:	(5)	Best-Rolls, Conner, Howell, Kirby, White
Nay:	(0)	
Absent: (2)		Dodd, Kelley

Item 2. Continue Creating an Ordinance on Demolition of Structures to Present to the Board of Supervisors. Sam Nugent, Deputy County Attorney was present to answer questions from the Commission.

Cessie Howell gave examples of historic buildings located outside of historical districts that were demolished without an opportunity for recordation.

Sam Nugent said there has to be a basis for some type of review. Options are to expand the historical district or a general rule on the part of the government that requires County staff to review all demolition projects. The Board would have to pass an ordinance to add additional conditions to permits for demolition of structures Countywide.

Cessie Howell said the city of Charlottesville passed an ordinance requiring all demolition permits be reviewed.

Kathy Baker said Charlottesville has a separate overlay district that has less stringent requirements than their primary historic district.

Discussion ensued.

Arch Di Peppe said rules have recently changed in the County, the Planning Commission now presents requests for changes in ordinances to the Board, prior to the change the Commission could hold public hearings and make changes to ordinances prior to submission to the Board for its approval.

Kathy Baker said because the Historical Commission is an advisory board to the Board of Supervisors it can request to present changes to an ordinance for the Board's consideration. She again encouraged the Commission to set the parameters it requests for review before demolition of certain structures.

Cessie Howell inquired about the city of Charlottesville. Kathy Baker said currently all demolition of structures have to go before the Architectural Review Board within historic districts in that city. Sam Nugent iterated without an overlay the County has to treat every property in the County the same. Kathy Baker said currently Falmouth is a historic district and there are approximately 23 other historical properties scattered throughout the County.

Barbara Kirby said the Traceries report is of some help, however, it only includes less than half of the County.

Discussion ensued.

Cessie Howell said perhaps the County could have an ordinance regarding demolition that stated that every building built before 1900, for example that is scheduled for demolition would have the opportunity for recordation or some means of preservation. Sam Nugent said it would be possible if the Board passed an ordinance to that regard.

The Commission agreed upon deciding on a date, any structure built prior to this date scheduled for demolition, would go before the Architectural Review Board to be analyzed, documentation of historic contents, architectural and archeological aspects of the structure, photographs, measured drawings, a title search, documentation and recordation of any cultural resource of a structure, finding out everything possible about the structure before demolition.

Kathy Baker said in the year 2007 there were 41 permits issued for demolition of structures in the County. Staff believed this to be a lot for the Architectural Review Board to review all.

The Commission requested staff create a proposed ordinance similar to the city of Charlottesville's Ordinance # 34.299 page 8 1-9. Definitions on pages 6 and 7 to be included.

Sam Nugent reiterated the importance of reviewing and including the ordinance in its entirety, not just portions. Cessie Howell said the city of Fredericksburg has used caution in developing ordinances pertinent to cultural resources.

Kathy Baker said if the Board declares the entire County as a historical district it will require additional steps not only for demolition but for building structures in the County as well. Even setting certain criteria to be met, there will be additional steps for all construction or demolition. Every application of any type will require review by the Planning & Zoning Department.

Sam Nugent mentioned possibly changing the rules for all demolition permits, by requiring a grace period of perhaps 30 days, allowing the Historical Commission time to contact the owner and inquire about implementing some type of recordation before demolition. He reiterated it is against state law to keep the owner of a structure from demolishing it when they have obtained a permit.

The Commission asked Kathy Baker about changing policy regarding demolition permits. She explained that permits fall under Code Administration and she would need to work with Code staff.

Item 3. Discuss and Continue to Revise the Phase IA & Phase I Portions of Proposed Ordinance O06-47 dated July 18, 2006 regarding Archaeological Surveys and Investigations. Anita Dodd and Brenda Schulte, Principal Planner, Planning & Zoning, discussed revision of the ordinance as needing only to modify one term. An additional public hearing is required due to a lapse in time. Kathy Baker explained to the Commission that they would need to submit a letter to the Board requesting a revision.

Ann Best-Rolls reviewed obstacles of proposed Ordinance O06-47.

Staff will bring the revised ordinance back to the next meeting.

Discussion ensued.

Item 4. Discuss and Decide on the Recipient of the Stafford County Historic Preservation Award. It was established the awards would be issued at 6:00 P.M. and a reception would follow at 6:30 P.M. the evening of May 19, 2009.

Ann Best-Rolls motioned, seconded by Jane Conner for Debbi Shelton of the Cemetery Committee and Becky Guy and Gary Cooke to accept the award on behalf of the Patowomecke Indians of Virginia, for Cultural Heritage Preservation, receive the annual Historic Preservation Award for 2008.

The Voting Commission Tally was:

Yea:	(5)	Best-Rolls, Conner, Howell, Kirby, White
Nay:	(0)	
Absent:	(2)	Dodd, Kelley

Presentations and Reports by Commission Members.

- Cessie Howell inquired about the status of the Accokeek Creek Civil War Site Plan Committee. Arch Di Peppe and Jane Conner said the committee has yet to meet.

- Barbara Kirby said Anita Dodd wrote a correspondence to the State, with a three-day dead-line from the time she received notice, in regard to the High Occupancy Vehicle (HOV) Lanes. Her correspondence stated she reviewed the report in question. Her response indicated that due to I-95 having been constructed and due to relic hunters, the integrity of the site was lost.

Barbara Kirby said Anita Dodd wrote a correspondence to the developers of Westlake stating they were to have conducted a Phase I study, instead a Phase IA study was actually conducted. Her correspondence stated this was not acceptable to the State or the County.

- Jane Conner inquired about original paintings and drawings by popular local artists that are no longer displayed in the Courthouse. Barbara Kirby will follow up.

- Ann Best-Rolls thanked Cessie Howell and Barbara Kirby for their assistance in having trees replanted in the Ferry Farm commercial area located across from the historical Ferry Farm. Barbara Kirby thanked Ann Best-Rolls for her initial tenacious call and follow-up.

- Arch Di Peppe gave an example of a rezoning for office buildings, South Campus. The architectural Phase I review, of a 55-acre parcel, stated other than a few arrowheads there was nothing on the ground. He contacted D.P. Newton, local historian, the applicant's archeologist, the applicant and he walked the property. Arch Di Peppe explained to the applicant that it did not mean he would not be able to rezone there but that it was imperative for the County to document the information. D.P. Newton iterated that archeological reports become history. Citizens of the County convinced the applicant to conduct two Phase II studies.

Kathy Baker said Planning & Zoning Department staff is reviewing all database information made available to the County.

Adjournment. At 4:10 P.M., the Vice Chairperson declared the meeting adjourned.

Anita Dodd – Chairperson

Barbara Kirby – Vice Chairperson