

The Smithfield Board of Historic and Architectural Review held its regular meeting on Tuesday, March 15th, 2016. The meeting was called to order at 6:30 p.m. Members present were Mr. Trey Gwaltney, Chairman; Mr. Ronny Prevatte, Ms. Julia Hillegass, Mr. Gary Hess, and Mr. Chris Torre. Mr. Jeff Yeaw, Vice Chairman; and Mr. Russell Parrish were absent. Staff members present were Mr. William G. Saunders, IV; Planning and Zoning Administrator and Mr. William H. Riddick III, Town Attorney. There were six (6) citizens present. The media was not represented.

Chairman Gwaltney – I would like to call this meeting of the Board of Historic and Architectural Review to order. The first item is the Planning and Zoning Administrator's Report.

Planning and Zoning Administrator – Thank you, Chairman. I have a few items tonight. The first is that Preservation Virginia and the Department of Historic Resources have joined forces to provide a training opportunity for historic Boards and such. It will be held June 1st in Virginia Beach. I plan to attend. If anybody else would like to attend, we can make that happen and maybe carpool as well. If anybody is interested, let me know tonight or contact me sometime soon and I will get you registered. It is pretty much for a whole day. I included the agenda in the packet here. I will forward the email too in case there is more information at the link. I just wanted to make you aware of it. There will not be a new Board photo tonight since we are missing two members. I would also like to welcome Ms. Julia Hillegass back to the Board for another term. Thank you very much for your service. That is all I have tonight.

Chairman Gwaltney – The next item on the agenda is Upcoming Meetings and Activities. A list is provided. Next we have Public Comments. Are there any signups? Hearing none, we will move to Board Member Comments. Would any Board members like to make any comments? Hearing none, we will move to Proposed Garden Shed – 113 Cary Street – Contributing – Adam and Angie Holland, applicants. Is there anyone here to speak on behalf of this? Please state your name and address.

Mr. Adam Holland – I live at 113 Cary Street.

Chairman Gwaltney – Do you have any comments about this Mr. Saunders?

Planning and Zoning Administrator – The shed meets the material standards that are normally expected to be on this type of structure in the historic district. You have a manufacturer's illustration of what the shed may look like. They will have architectural

shingles rather than the three tab which is shown in the picture which is something that has been a precedent in the historic district in recent years. This application is pretty straight forward.

Chairman Gwaltney – Are there any questions or comments from the Board?

Ms. Hillegass – Mr. Chairman, I move to approve as presented.

Mr. Hess – Second.

Chairman Gwaltney – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

On call for the vote, five members were present. Chairman Gwaltney voted aye, Mr. Ronny Prevatte voted aye, Mr. Gary Hess voted aye, Ms. Julia Hillegass voted aye, and Mr. Chris Torre voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Our next item is a Proposed Wall Sign – 207 Main Street – Non-Contributing – Elizabeth Moretz, First Colony Engraving, applicants. Is there anyone here to speak on behalf of this? Please step forward and state your name and address for the record.

Ms. Elizabeth Moretz – I live at 20579 Creekside Drive in Smithfield.

Planning and Zoning Administrator – The proposal seems to exceed the allowable sign area due to the narrow store frontage. However, if the Board is comfortable with the proposal then you have the purview to approve this sign as presented. It is pretty much to scale in the picture. If it seems too large, it may have to be brought down to what the ordinance allows. If it does not look like a bad scale to the Board, you do have the purview to approve it as presented.

Mr. Hess – What is the allowable scale?

Planning and Zoning Administrator – It is based on the width. I want to say that it was about twenty square feet. This is more in the range of approximately thirty square feet.

Mr. Hess – It would need to be about a third smaller.

Planning and Zoning Administrator – Right. It is a function of the width. Since the store is so narrow, it is not a very large maximum area in the ordinance.

Mr. Hess – Is there anything under that sign where you propose to put it up that you are trying to cover up?

Ms. Moretz – No, it is not. It is not an exact rectangle either so there is some square footage that would not be on there because of the curve. I did not really want to make it too small. I want it to stand out.

Mr. Hess – Is the color scheme as presented?

Ms. Moretz – Yes it is. It is made out of high density fiberboard which is about an inch thick. It has a textured look to it. The letters will be routed in. I will be painting them.

Mr. Prevatte – HDF will hold up very well too.

Ms. Moretz – Yes it will. It kind of has a wood look but it will last a long time.

Mr. Prevatte – It will not blister, peel or chip like wood will. It is a good product. It is a nice looking sign.

Ms. Moretz – Thank you.

Chairman Gwaltney – At this time, if I am correct, the building next to you has brick all across the top. I am trying to remember if they have signs at the top.

Ms. Moretz – Yes. It is Modlin Printing. Is that what you are talking about?

Chairman Gwaltney – No. The one on the other side.

Ms. Moretz – There is not anything on the whole thing all the way down. I have a whole lot of people who say they go up and down the street trying to find my location and they cannot find it because a lot times trucks will park in front of the window. They do not see the sign from across the street. I wanted something that would be more recognizable.

Chairman Gwaltney – Are there any other comments from the Board?

Ms. Hillegass – I think the scale of the sign is appropriate to the size of the awning.

Chairman Gwaltney – I think if you went any smaller you would end up having to take the small lettering off of it. I am sure you do not want to do that.

Ms. Moretz – Correct.

Mr. Prevatte – I make a motion to approve it as presented.

Mr. Torre – Second.

Chairman Gwaltney – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

On call for the vote, five members were present. Chairman Gwaltney voted aye, Mr. Ronny Prevatte voted aye, Mr. Gary Hess voted aye, Ms. Julia Hillegass voted aye,

and Mr. Chris Torre voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Our next item is a Proposed Garden Shed – 204 Cary Street – Contributing – Charles Wise, applicant. Is there anyone here to speak on behalf of it? Please step forward and state your name and address please.

Mr. Charles Wise – I live at 204 Cary Street.

Planning and Zoning Administrator – There is a manufacturer's representation of what the proposed shed would look like. This shows a wood grain shed. This shed will be painted to match the house. The siding, trim, and metal roofing will all match the colors on the house as proposed.

Chairman Gwaltney – So the building looks like the picture and the colors match the house.

Mr. Wise – Correct. The roof will be gray to match the house. The color of the shed will be matching the house also. It comes from the manufacturer. It is a similar color. It is not an identical paint color. It is very, very close but not identical to the house. I have access to that paint if it needs to be identical.

Chairman Gwaltney – Are there any comments from the Board?

Mr. Hess – I just have one question. I drove by the other day, and from the street, I was not sure if you could see it or not. Is there already a structure back there?

Mr. Wise – There is a red shed in my neighbor's property that is adjacent to mine. The back of that shed can be seen from the street but it is a different property.

Mr. Hess – I make a motion to approve as presented.

Mr. Prevatte – Second.

Chairman Gwaltney – A motion has been made and properly seconded. All those in favor say aye, opposed say nay.

On call for the vote, five members were present. Chairman Gwaltney voted aye, Mr. Ronny Prevatte voted aye, Mr. Gary Hess voted aye, Ms. Julia Hillegass voted aye, and Mr. Chris Torre voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – The motion is approved. Thank you. Unless there are any other questions or comments from any of the folks here, we thank you for coming and submitting your applications. You are excused. Our next item is a Discussion of Historic

District Education Outreach. I assume you all have read the memo letter that I put in our packets. This is an idea or suggestion that I am proposing to the Board. I am open for comments, questions, ideas, or thoughts on how to work on this or if you all think it is necessary. I know in the last year, we have had two or three items that have come before the Board where people have done something already and now need it approved. I am not quite naïve enough to say that those people honestly did not know everything they should have known before they did whatever their changes were. I kind of thought, as stated in the letter, about putting some sort of committee together to see if there is a way to put all of this information out there a little bit better so people will know what they need to do. They say that they do not know that they need to come before this Board. They do not think it really matters. I think there are probably things that are done that maybe we do not even find out about that probably should be reviewed by this Board. It is not some sort of power play or anything like that. Those of you who have been on this Board for some time, I think would agree, it is a lot nicer when people come here and say they would like to do this. Is this okay for me to do? What do you think about it? Instead of saying, I already did this. It puts us in an awkward position of saying that maybe they should not have and do not do it again.

Mr. Prevatte – I do not know how you would prevent it from happening.

Chairman Gwaltney – I am not sure that we have a lot of things in place to tell people when they move here or when they hire a contractor.

Mr. Prevatte – It would help the real estate companies if we gave packets.

Town Attorney – Anything that is going to require a contractor would require a building permit for the most part. In order to get a building permit, you have to have a zoning permit which means they have to go to the Planning and Zoning Administrator. The things that are likely to slip through the cracks are of a lesser magnitude. It does not mean they are less objectionable. It just means they are likely not to be the big ticket items.

Mr. Hess – One of the things that popped into my mind when I read the letter was that John Edwards has a great little community newspaper. I assume that most people who live within the historic district probably read the Smithfield Times. Since Mr. Gwaltney is a new Chairman, maybe it would be good if you were interviewed for an article for the Smithfield Times. You could talk about what the BHAR is. I had never

heard of it before. I do not live in the historic district. I was just asked by Town Council members to serve and I did but I had never heard of it. I would be willing to bet that a lot of people outside the historic district are probably not aware of it. If you live in the historic district, you probably ought to make it your business to be aware.

Chairman Gwaltney – I agree with that. It could be an option to try to do. I do not know that my goal tonight was to actually come up with all of the ideas and plans. I wanted to get feedback from all of you to see if we should have a committee or just one person to look into it. I want to come up with a list of things and how to approach it. I know there are things in place like the Planning Commission and things to go back to the Planning and Zoning Administrator to get checked off. Like I said, we have had property owners and contractors come before us with stuff that they have already done. They are getting approval after the fact. It happens. I watched people, just recently, make changes to their property. It was a landmark property. I realized I am Chairman of the BHAR and I did not approve this change. I do not know if Mr. Saunders did. I asked him and he was not aware of it. Fortunately, the change that they made, while it was a change, it probably would have been approved administratively.

Planning and Zoning Administrator – If not, it would have been exempt from review altogether.

Mr. Prevatte – It puts a lot on that office to run everybody down.

Chairman Gwaltney – I do not know that I am saying we have to run everybody down. I am thinking if there were methods to let everybody know.

Mr. Prevatte – How often does it happen? I do not think it is very often.

Mr. Hess – I will get back to what I think your point was which is community education. We have people that move into the historic district that have never lived in Smithfield before. There is probably a lot of stuff that gets passed by.

Town Attorney – These guidelines right here are excellent. We won an award for doing them. They are really well done. It gives people a lot of guidance as to how and what they can do to the extent that you can push people to look at those. I guess your point is that people do not even know they need to.

Chairman Gwaltney – Right. I agree. I thumbed through and got the words out of there but what I am not seeing is education. It is really great to build it and hope they will come. If you build it and it just sits there and nobody comes then have you met your

goal? I know the book is there. There are plenty of people who do. I am willing to bet that the folks who just moved here from some distance away who made changes to the landmark property that I spoke of I am not sure if they know about it or this Board.

Mr. Torre – They do not. Your point is really well taken. I am new here. I did not have any idea of what the requirements were and the restrictions are until I saw these things. Until you disseminate this kind of information throughout the historic district, there will be all kinds of people, just like me, that do not know what they can do and cannot do and what the requirements are for approval before they try to do it. I think your point is really well taken about a building permit but there are a considerable number of us out there who will attempt to do work that should require a permit and they will not bother to go get that either. I think you are on the right track.

Chairman Gwaltney – Just a month or two ago, we had a contractor in here getting an after the fact approval. The comment I heard several times about that was that he was a contractor; he should have known. I probably thought that myself. I do not know that it is good enough to make it as it should be.

Mr. Prevatte – What do you do once it is done?

Chairman Gwaltney – Well, we can make them undo it if we want to, I guess, but do we really want to do that. We do not want to be in the position of having to wrestle with that decision. I am not asking us to go door to door or pull people off of ladders. I think there must be some relatively manageable methods.

Mr. Prevatte – You could charge them a fine.

Chairman Gwaltney – Again, I am trying to avoid the problem before it actually happens. None of us want to make people undo work on their house. None of us want to make enemies with the residents here. We certainly do not want to be seen as a bad thing when people have to come before the BHAR. I do not want to turn this into our whole focus but I think there are some simple methods we could probably come up with to communicate that there are guidelines. There is a Board. There are resources for these people. The whole book is online.

Mr. Hess – The Town Manager publishes a quarterly bulletin. We could put something in there with a link to the website that explains what the BHAR is all about. Again, I think the community newspaper would be good. The trouble nowadays is that so many people do not pay attention to what is going on in their government. They are

just too wrapped up in their lives. I think most of them are happy to let the Town Council do what they do.

Mr. Prevatte – I think they just do not care.

Mr. Hess – We can put it in front of them in any number of ways. You can send letters to all of the houses but you cannot force them to read it.

Chairman Gwaltney – No but you feel like you have made an attempt.

Mr. Prevatte – I know that Hilton in Newport News is very tough. If it is an inch off of what they consider to be correct, they will make you take it down.

Mr. Hess – I think the best you can hope for is to take away their excuse that they did not know.

Chairman Gwaltney – I guess that is part of what I am hoping to do.

Town Attorney – One thing that has been a misperception by the public over the years is that this is an unreasonable body and it is anything but. The fact that people have to come before the BHAR is something they are not happy about in the first place in many cases.

Mr. Prevatte – And then they have to wait.

Town Attorney – There is a delay when they have to come and ask permission. The town staff is very cooperative and helpful and helps people understand what they need to do. There is a lot of guidance in the guidelines. It is not an onerous process. There is always a work around for the most part. How often does somebody come in here and ask if they can do something and you all say what you recommend they do. Usually, it is a compromise and everybody goes away reasonably happy and you have maintained the standards that you have set. That is kind of how it works but there is a misperception that it is the 'hysterical' Board; the hysterical review Board instead of the historical review Board. That dates back to before I even got here. There was a joke about it and it is not that at all. So, to your point Mr. Chairman, it is a lack of understanding and a lack of education on behalf of a lot of people who live here and do not really understand.

Mr. Prevatte – I think communication is the bottom line.

Chairman Gwaltney – I think it is. I think it is communicating and educating the people not with just what they can and cannot do but with the reasons why we have the rules, ordinances, and guidelines in place. Several of us live in historic homes. We

would all be the first to admit that while they are sometimes not the epitome of comfort; we have chosen to live in those homes and be stewards for those properties for some reason. We have chosen to preserve those properties. I think when people move into an old house they do it for a reason. It is most likely because they care for the property. In most regards, they want to maintain the property as it should be. They have an understanding and respect for the district but there are people who do not. There are people who are hired to work on houses that do not understand it.

Mr. Prevatte – A lot of people are not even qualified to work on them. They do not have a license. They are not insured which is a lot of the problem right there. Just like someone said earlier, a lot of people have in mind what they want to do but they are afraid if they come here we will not let them do what they want. Then they do not have an alternative.

Chairman Gwaltney – I am glad we have had this discussion. I think everyone has brought up some good comments. What do you all feel is the best way to approach this? Does the whole group need to talk about it? Do we need to form a committee? Should we bring in a couple of other people that are not on this Board as a subcommittee? Does everyone want to submit their ten best ideas? How do you want to do it?

Ms. Hillegass – I think it was a great idea to suggest that you do an interview with the Smithfield Times since you just came on as Chairman. I would be very happy to talk to John Edwards about that. It is something that we could do immediately.

Mr. Prevatte – I think real estate companies ought to tell people. Of course, that could be detrimental to them a lot of the time. They can inform people about the guidelines and give them a book.

Chairman Gwaltney – I have thought about that before. I do not know what the cost would be to publish those books. I realize it is all online. I am the first to admit that I am not one to read a whole book online but I might thumb through it just like Mr. Riddick is doing now. If it is sitting on the coffee table, they are going to think about it more than if they have to go online to look at it.

Mr. Hess – The other way is maybe just the way we present it. We should say that this is not what you have to do but this is how you go about doing something.

Mr. Prevatte – I tell people that I do work for that. The only reason I am on this Board is to help people. If I know anything at all and I can give them advice, it is the only reason I am here.

Chairman Gwaltney – I think it is why we are all here.

Mr. Prevatte – I think it makes them feel at ease because then they feel like they can compromise a little better.

Chairman Gwaltney – I think we are all here because we want to help the people to be able to make the properties what they should be for the district. Thereby, we are helping the district maintain integrity.

Mr. Prevatte – If someone has an idea that is tremendously expensive, I like giving them an alternative that is just as good. They appreciate it.

Mr. Torre – How much trouble would it be to reproduce this? It really is a good document. Almost everything you need to know is in here. If we reproduced it sufficiently and then we advertised its presence then people could come and get it.

Chairman Gwaltney – I know that Town Hall sold them at one point. I do not know if they still do. There was a minimal charge. They sold the books. I know they did.

Mr. Hess – Correct me if I am wrong, I believe that state law requires that when you move into a neighborhood that has a Homeowner's Association that they have to present you with the rules.

Town Attorney - This is not a Homeowner's Association.

Mr. Hess – I understand but could we not treat it in a similar fashion? Anyone who purchases property in the historic district should get a copy of this.

Planning and Zoning Administrator – I thought that was state law too. At closing, for someone moving into a historic district, that you have to make them aware of it.

Town Attorney – No.

Mr. Hess – Maybe it should be. There is no reason why we could not try to make that happen.

Mr. Prevatte – What if flyers were sent out every so often in the mail to the historic district. It is some work.

Planning and Zoning Administrator – Regarding the newsletter, it is bi-annual. The articles have to be in by the end of this month. We normally put a short article in there about property maintenance in the code enforcement section of the newsletter.

We could certainly pull that out of the code enforcement section and expand it for this month's newsletter. We could put the links to these two documents. One is the Historic Preservation Overlay District Ordinance. The other is the Design Guidelines. We could also put how to find those two documents on the website in the article if you would like. It would be something we could do at minimal cost in the short term to move in that direction. We can certainly do that.

Mr. Prevatte – Could the Town Council approve a fine?

Town Attorney – The state does not permit you to do that. We do not have the authority to impose things that are not permitted by the state.

Planning and Zoning Administrator – One of the ways that it was passed in the first place was to make it as easy on folks and any owners as possible.

Mr. Prevatte – You do not want to discourage them.

Mr. Hess – You do not want to make living in the historic such a problem.

Planning and Zoning Administrator – I will say that most people that have a bad impression of it is because of other cities. I have people come to me all the time expecting these horrible things. They knew about some other city and how strict they were. Once they go through the process here, they realize that their fears were unfounded because they had done it somewhere else. It was onerous. They heard stories by neighbors or family members that had done it somewhere else. I think in Smithfield it is very reasonable the way it is handled. Normally, the people who have been through the process have a better impression of it than ones that have not.

Town Attorney – Somebody mentioned the fact that it should go to the real estate companies. The problem with that is that many of the agents do not have a good understanding of the historic district and what applies. They do not want to talk about it in fear that it will run somebody away. If they knew what they were talking about, they would see it as a plus.

Mr. Prevatte – Maybe they should be informed of it.

Chairman Gwaltney – I have put realtors on this list.

Mr. Prevatte – Maybe we should have an open forum every so often. We could just tell people.

Mr. Hess – Getting back to what you said earlier, it is about communication. We have several opportunities to do that in writing. It at least gets it out there for people to read. I do not know how many people would actually show up to a meeting.

Mr. Prevatte – I work for a realty company. They are all aware of the guidelines.

Mr. Hess – Well, except for an agent that lives in Newport News.

Town Attorney – They may be aware of them but I bet they do not understand them.

Mr. Prevatte – That could be true but they could.

Chairman Gwaltney - Yes, they could.

Mr. Prevatte – We could have an open forum and have people come if they have questions. You would probably get the ones that are scared to start with.

Chairman Gwaltney – I am glad to see the enthusiasm from my fellow Board members on this. We need to take all of this enthusiasm and organize it somehow. We have had lots of good ideas thrown out in front of us tonight. Unless we organize it, none of it will get done. What I would really like to do is suggest that we have a subcommittee of maybe three people.

Town Attorney – You can appoint a committee however you wish, Mr. Chairman.

Mr. Prevatte – Is there any way we can get some guideline books to give to certain people?

Chairman Gwaltney – I guess we can get whatever we need but then we need to decide who the certain people are that we need to give them to. I think a committee needs to put these thoughts down and organize it. There are a lot of realty companies. How many books would we need?

Mr. Prevatte – I do not know yet. I know one realty company. We would probably need a dozen books.

Chairman Gwaltney – I would like to start by asking if any of the other Board members would like to be involved with a three person committee to start getting the ideas on paper. We could see how many of them overlap, how many we could do right away, how many involve printed matter such as mailings, social media, public forums, and see which direction we want to go first and decide how to handle it. Do any of you have an expressed interest in being a part of that group to at least organize it at first?

Mr. Prevatte – Here is another fall back from that. Somebody is going to come up and asked about some other house that looks bad and why we have not done something about it?

Chairman Gwaltney – We will deal with that too.

Mr. Prevatte – That is what I am saying. It is going to come.

Chairman Gwaltney – I think it should come. I think it is part of what we are here for. There are properties in town that need some work. I would like to think that is to make people aware if they are not up to the standards.

Mr. Prevatte – Actually, this is better for the town in the long run.

Chairman Gwaltney – I would hope that an idea that I had was better for the town not worse for the town.

Mr. Prevatte – There are people that move in here that care. They care about their investments. A lot of people admire the fact that it is overseen.

Mr. Torre – I would be happy to be on the committee if you will consider me.

Chairman Gwaltney – Thank you. I will give it much thought and let you know. You are on the committee. Everybody does not have to jump up and do this. I think there are other people in the community who might like to help with some of this. They are probably just as qualified as we are to work on a project like this. We can get together and find another person or two to do that.

Mr. Prevatte – I would like to be on the committee as well.

Mr. Hess – I would like to also.

Chairman Gwaltney – We have a committee.

Mr. Prevatte – We need to target certain areas.

Chairman Gwaltney – I think that we do. I will get with the three of you and organize a time. We can get together and sort of hash this out. We can make a list and try to find a direction to go.

Mr. Hess – I think Mr. Saunders made an offer to make sure that something gets put into the newsletter. I think we should do that.

Chairman Gwaltney – I think he will remind me of the deadline. We will get something together for it.

Planning and Zoning Administrator – If you want me to do that, I am sure I can make it happen.

Chairman Gwaltney – At this point, I will talk with Mr. Saunders about getting some type of notice in the town's newsletter. We will try to open a discussion with Mr. Edwards of the Smithfield Times about some sort of informative article about this Board and what we stand for. Thank you all very much for indulging me in that idea. I am glad that we are all on the same page with this. We will meet before the next meeting and perhaps have something on the agenda next time. We could have a report and how we want to move forward. Are there any other comments? Hearing none, our last item on the agenda is Approval of the February 16th, 2016 Meeting Minutes.

Town Attorney – Mr. Chairman and members of the Board, I recommend the minutes by approved as presented.

Ms. Hillegass – So moved.

Mr. Hess – Second.

Mr. Torre – On page five, line twenty two, it says that I said something that I did not say.

Town Attorney – I think Mr. Prevatte said it.

Mr. Prevatte – It might have been me.

Chairman Gwaltney – Can we make that change to the minutes so they are more accurate?

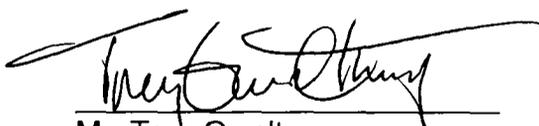
Town Attorney – Yes we can.

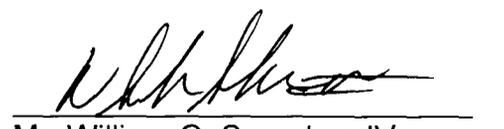
Chairman Gwaltney – A motion has been made and properly seconded to approve the minutes as corrected. All those in favor say aye, opposed say nay.

On call for the vote, five members were present. Chairman Gwaltney voted aye, Mr. Ronny Prevatte voted aye, Mr. Gary Hess voted aye, Ms. Julia Hillegass voted aye, and Mr. Chris Torre voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Is there any other business or discussion? Hearing none, we are adjourned.

The meeting adjourned at 7:15 p.m.


Mr. Trey Gwaltney
Chairman


Mr. William G. Saunders IV
Planning and Zoning Administrator