

The Smithfield Board of Historic and Architectural Review held its regular meeting on Tuesday, May 18th, 2021 at the Smithfield Center. The meeting was called to order at 6:30 p.m.

Members present:

Trey Gwaltney – Chairman

Gary Hess

Russell Hill

Judith Lally

Members absent:

Ronny Prevatte

Julia Hillegass – Vice Chair

Justin Hornback

Staff present:

Tammie Clary - Interim Community Development & Planning Director

Joseph Reish – Planning Technician & Code Enforcement Officer

William H. Riddick, III – Town Attorney

Press: None

Citizens: 0

Chairman Gwaltney welcomed everyone to the meeting.

Community Development & Planning Director's Report:

Tammie Clary reported that Summit Design & Engineering Services, PLLC, our consultants for the 2020/2021 Comprehensive Plan update, have developed a website to assist in providing transparency in the comprehensive planning process. The website is accessible via the following link: <https://smithfieldvacomprehensiveplan.com/>. A draft existing condition report and a draft summary report of the recent citizen survey are accessible via the link. In the interests of reaching a citizen participation threshold of ten percent of the Town's population, our consultants have created a vision feedback form for continued public input and engagement throughout this process (<https://smithfieldvacomprehensiveplan.com/#feedbackform>). Wednesday, May 12th, 2021 was Community Development & Planning Director John Settle's last day with the Town of Smithfield. In his absence, Tammie Clary will serve as Interim Community Development & Planning Director until a permanent replacement is appointed. In the meantime, Joseph Reish, Planning Technician & Code Enforcement Officer, will resume his earlier role as the staff liaison for the BHAR. John will be missed greatly, and is leaving large shoes to fill.

Chairman Gwaltney stated that he has worked on the Board with William Saunders, Joseph Reish, and John Settle. He looks forward to working with Tammie Clary in the future. He gave his best wishes to John Settle in his new position in Virginia Beach.

Upcoming Meetings and Activities:

Monday, May 24th, 3:00 PM – Town Council Committee Meetings

Tuesday, May 25th, 3:00 PM – Town Council Committee Meetings

Tuesday, June 1st, 6:30 PM – Town Council Meeting

Tuesday, June 8th, 6:30 PM – Planning Commission Meeting

Tuesday, June 15th, 6:30 PM – Board of Historic & Architectural Review Meeting

Public Comments:

There were no signups for public comments.

Board Member Comments:

There were no Board member comments.

Accessory Structure (Fence) – 223 North Church Street – Non-contributing – Ernest Dent, applicant:

Mrs. Clary reported that the applicant is seeking approval to erect a new six foot (6') tall salt-treated wooden dog-eared privacy fence in the side yards of the property. Town staff recommended approval under the condition that the fence is either stained or painted white.

The applicant was not in attendance at the meeting.

Mr. Hill stated that the picture shows a two-sided fence. He asked if that was correct.

Mrs. Clary stated that the picture was submitted by the applicant.

Mr. Hill stated that the fence picture indicates that it would be finished on both sides. He wanted to make sure that the finished side was on the outside so that it would look better. He believes the adjacent property has the exact same fence or one very similar.

Mr. Reish stated that it was a typical dog-eared fence.

Chairman Gwaltney asked for confirmation on the orientation of the drawing with the yellow lines. He asked which was the front and which was the back.

Tammie Clary clarified that North Church Street was located at the bottom of the paved driveway.

With no further comments on the fence, Mr. Hill made a motion to approve the application with staff recommendations as presented with the condition that the finished side is facing outwards. Mrs. Lally seconded the motion. Chairman Gwaltney called for the vote.

On call for the vote, four members were present. Mr. Hess voted aye, Mr. Hill voted aye, Mrs. Lally voted aye, and Chairman Gwaltney voted aye. There were no votes against the motion. The motion passed.

Accessory Structure (Fence) – 348-354 Main Street – Non-Contributing – Ed Bowman, applicant:

Tammie Clary reported that the applicant is seeking approval to replace an existing dilapidated wooden fence with a six foot (6') tall wooden dog-eared privacy fence in the northeast side yard of the property in question. The proposed fence will straddle the lot line between the subject property and 346 Main St (TPIN 21A-01-164), and will be in the same footprint as the previous fence. The new fence will be painted white. Town staff recommended approval as submitted. Mrs. Clary explained that the applicant was available by phone if there were any questions.

Chairman Gwaltney stated that the application is relatively simple. Based on the photograph of the new proposed fence, the Board may need to add the same caveat as the previous application with the finished side of the fence facing outwards.

Mr. Hill clarified where the fence stops. The existing fence goes past the back of the house.

Tammie Clary stated, as far as she was aware, the fence would be replacing the existing fence that stops at the shed located in the rear of the property.

Mr. Hess made a motion to approve the application as submitted provided the finished side of the fence faces outward. Mrs. Lally seconded the motion. Chairman Gwaltney called for the vote.

On call for the vote, four members were present. Mrs. Lally voted aye, Mr. Hess voted aye, Mr. Hill voted aye, and Chairman Gwaltney voted aye. There were no votes against the motion. The motion passed.

HPO Map & Property Inventory Amendment – Town of Smithfield, applicant:

Tammie Clary reported that, pursuant to Smithfield Zoning Ordinance (SZO) Section 3.M.D.6, Town staff must update and amend the Historic Preservation Overlay (HPO) district map and inventory from time to time to reflect changes that occur within the HPO in real time, with the review and approval of the Board of Historic & Architectural Review (BHAR). On Monday, March 8th, 2021, Town staff approved a minor subdivision, lot consolidation, and utility easement plat for 228 James St, 328 Grace St & Lot 129 Institute St (TPINs 21A-01-127, 21A-01-128, 21A-01-129, 21A-01-133 & 21A-01-134). The plat was recorded later that day, resulting in the following changes:

- (a) The consolidation of a majority of Lot 128, James St (TPIN 21A-01-128) with 328 Grace St (TPIN 21A-01-134).
- (b) The consolidation of Lot 133, Grace St (TPIN 21A-01-128) with 328 Grace St (TPIN 21A-01-134).
- (c) The retention of the residue of Lot 128, James St (TPIN 21A-01-128) as a small, 0.3-acre lot fronting on James St.
- (d) The creation of Lot 128A, James St (TPIN 21A-01-128) as a small, 0.3-acre lot fronting on James St.
- (e) The dedication of a twenty-foot (20') wide sanitary sewer utility easement to the Town, which follows the center line of an existing sanitary sewer main that extends from James St to Institute St and lies beneath portions of 228 James St (TPIN 21A-01-127), 328 Grace St (TPIN 21A-01-134), Lot 128, James St (TPIN 21A-01-128), and Lot 129, Institute St (TPIN 21A-01-129).

Consequently, this HPO map and inventory amendment seeks to achieve the following items:

- (1) To correctly illustrate the new configurations of 328 Grace St (TPIN 21A-01-134), Lot 128, James St (TPIN 21A-01-128) & Lot 128A, James St (TPIN 21A-01-128A).
- (2) To show the expansion of the contributing classification of 328 Grace St (TPIN 21A-01-134) over the area of land that formerly comprised most of Lot 128, James St (TPIN 21A-01-128), and the entirety of Lot 133, Grace St (TPIN 21A-01-133), which were both non-contributing vacant lots prior to the recordation of the plat.
- (3) To show the reduction of the non-contributing classification of the area of land formerly occupied by Lot 128, James St (TPIN 21A-01-128), which is now a residue parcel, and the newly created Lot 128A, James St (TPIN 21A-01-128A). Both properties are classified as non-contributing and are 0.3-acre vacant lots.
- (4) To eliminate Lot 133, Grace St (TPIN 21A-01-133) from the HPO district property inventory.
- (5) To add Lot 128A, James St (TPIN 21A-01-128A) to the HPO district property inventory as a vacant non-contributing lot.

Tammie Clary stated that an updated version of the HPO district map and property inventory have been attached to this staff report for the convenience of the BHAR. A copy of the recorded minor subdivision, lot consolidation, and utility easement plat has also been included. Town staff recommended approval as submitted.

The Town Attorney explained that the property owner has cut out some lots that he wants to sell. They are vacant lots that are not part of the classifications.

Mr. Hess stated that the BHAR will simply be codifying the property since it has already been approved.

The Town Attorney stated that was correct.

Mr. Hess made a motion to approve the application as presented and Mr. Hill seconded the motion. With no further discussion, Chairman Gwaltney called for the vote.

On call for the vote, four members were present. Mrs. Lally voted aye, Mr. Hess voted aye, Mr. Hill voted aye, and Chairman Gwaltney voted aye. There were no votes against the motion. The motion passed.

Approval of the Tuesday, March 16th, 2021 Summary Meeting Minutes:

The Town Attorney recommended approval of the minutes as presented.

Mr. Hess made a motion to approve the minutes and Mrs. Lally seconded the motion. Chairman Gwaltney called for the vote.

On call for the vote, four members were present. Mrs. Lally voted aye, Mr. Hess voted aye, Mr. Hill voted aye, and Chairman Gwaltney voted aye. There were no votes against the motion. The motion passed.

Approval of the Tuesday, April 20th, 2021 Summary Meeting Minutes:

The Town Attorney explained that he was not present for the April meeting but had reviewed the minutes and recommended approval as presented.

Mrs. Lally made a motion to approve the motion and Mr. Hess seconded.

On call for the vote, four members were present. Mrs. Lally voted aye, Mr. Hess voted aye, Mr. Hill voted aye, and Chairman Gwaltney voted aye. There were no votes against the motion. The motion passed.

Discussion Item – Siding at 120 Cox Lane: (not on agenda)

Tammie Clary stated that the resident of 120 Cox Lane called and inquired about removing the vinyl siding to expose the painted wood siding which would be painted white. It would only be a material change back to the original wood siding. Town staff has administratively approved another property in the past. She asked the Board if they would like to see those types of applications or if they could just be administratively approved.

The Town Attorney asked what possible scenario would the BHAR be concerned about removing vinyl siding? Wood siding is preferred.

Mr. Reish stated that he wanted to make sure how the BHAR preferred to handle administrative approvals. There is nothing in the ordinance that specifically authorizes the removal of siding back to the original wood siding.

Mr. Hess stated that there has been a continued push toward vinyl siding; particularly with the price of materials currently. He did not have a problem with someone wanting to remove vinyl siding in favor of wood siding.

Chairman Gwaltney asked if the homeowner had made an application to remove the vinyl siding.

Tammie Clary stated that they had not.

Chairman Gwaltney asked if the homeowner wanted to remove the vinyl because it was in bad shape or because they prefer the original wood siding?

Tammie Clary explained that the homeowner did not indicate the condition of the vinyl siding. During the conversion, it seemed that the homeowner felt the wood would look better.

Mrs. Lally stated that the homeowner seems to really be trying to understand the history of the property.

Mr. Hess explained that his only concern would be the condition of the exposed wood.

Chairman Gwaltney stated that if the property owner has a problem with the wood siding then they would come back to the BHAR and ask for something else.

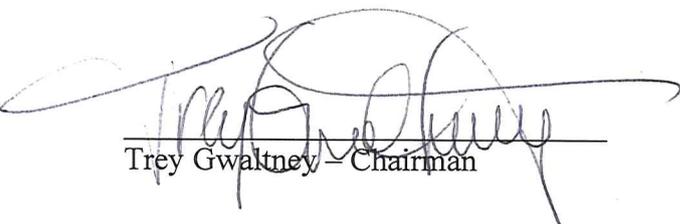
Mr. Reish explained that the property owner would be made aware that if the vinyl is removed then they may not be able to get it back. He did not want to discourage property owners but wanted them to know the expectation up front.

Chairman Gwaltney stated that once the vinyl is removed then the vinyl siding is no longer “grandfathered.”

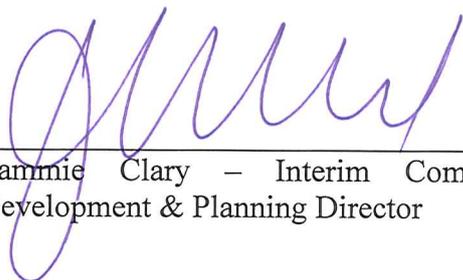
The Town Attorney explained that if the wood siding is in bad shape there is nothing that precludes the homeowner from repairing it.

Chairman Gwaltney stated that administrative approval is okay with the BHAR for removing vinyl siding down to the original wood siding.

The meeting adjourned at 6:55 p.m.



Trey Gwaltney – Chairman



Tammie Clary – Interim Community
Development & Planning Director