



**TOWN OF MIDDLEBURG
HISTORIC DISTRICT REVIEW COMMITTEE
REGULAR MEETING MINUTES**



Thursday, September 5, 2019

PENDING APPROVAL

The regular meeting of the Historic District Review Committee was held on Monday, September 5, 2019 in the Town Hall Council Chambers, located at 10 West Marshall Street. Vice Chair Lee called the meeting to order at 5:30 p.m.

PRESENT: Punkin Lee, Vice Chair
William Anderson
Tim Clites (arrived late)
Virginia Jenkins
Linda Wright
Cindy C. Pearson, Council Representative

STAFF: William M. Moore, Deputy Town Administrator
Rhonda S. North, MMC, Town Clerk
Estee Laclare, Project & Planning Associate

ABSENT: William Turnure, Chair (excused)
Margaret Littleton (unexcused)

Approval of Minutes

Committee Member Wright moved, seconded by Committee Member Anderson, that the Historic District Review Committee approve the August 1, 2019 regular meeting minutes as presented.

Vote: Yes – Committee Members Lee, Anderson, Jenkins and Wright
No – N/A
Abstain – N/A
Absent – Chairman Turnure and Committee Members Clites and Littleton
(Councilmember Pearson is a non-voting member of the Committee.)

New Business

COA 19-30: Fence – 100 West Marshall Street – Steven Majchrzak

Scott Majchrzak appeared before the Committee representing his brother’s application.

The Committee noted that there were two sketches in the application that identified the location of the fence; however, they were different. Mr. Majchrzak advised the Committee that the sketch that showed the fence extending to the door was the correct one. He reported that his brother intended to stain the fence.

Project & Planning Associate Laclare advised the Committee that the proposal was for a clear stain. She reminded them that the Historic District Guidelines required that the fence be stained or painted; however, it was within their purview as to whether to allow for a clear stain. Deputy Town Administrator Moore noted that the guidelines were unclear as to whether the stain had to be pigmented.

After some discussion, the Committee agreed a white stain would allow the fence to appear as if it belonged to the house. They noted that there were a lot of stains available that would not peel.

Mr. Majchrzak opined that white would be acceptable.

Committee Member Anderson moved, seconded by Committee Member Jenkins, that the Historic District Review Committee approve COA 19-30, a request of Steven Majchrzak for a new fence at 100 West Marshall Street, with it being a white painted fence or a stained white fence and with the approval being of the plan that showed the fence that was seven feet from the Pendleton Street side of the patio.

Vote: Yes – Committee Members Lee, Anderson, Jenkins and Wright

No – N/A

Abstain – N/A

Absent – Chairman Turnure and Committee Members Clites and Littleton
(Councilmember Pearson is a non-voting member of the Committee.)

COA 19-31 (S 19-15): Outdoor Brochure Case – 4 West Washington Street – Hunt Country Realty, LLC

Peter Leonard-Morgan appeared before the Committee representing the application. He explained that they would like to place a brochure cabinet on the property side of the fence in order to display some of their property listings. Mr. Leonard-Morgan reported that it would be stained in the Sotheby's dark blue color and would be installed on a 4x4 inch post, which would contain a round finial on the top.

The Committee inquired as to how close the cabinet would be to the fence and noted the need for the staff to open it to change out the brochures. Mr. Leonard-Morgan advised that it would be quite close to the fence and explained that the individual would open it from the sidewalk side of the fence.

The Committee held some discussion of the proposed LED lights that would be in the case to illuminate the brochures day and night. It was noted that other brochure cases in town were not lit. (Committee Member Clites arrived at the meeting at 5:45 p.m.) The members agreed they were not in favor of allowing an internally lit case as it would set a precedent. They noted the number of real estate offices located within the town limits.

Mr. Leonard-Morgan agreed they would not light the brochure case.

Committee Member Anderson moved, seconded by Committee Member Wright, that the Historic District Review Committee approve COA 19-31 (S 19-15), for the installation of an outdoor brochure case at 4 West Washington Street as presented with the exception that the case should not have any powered lighting.

Vote: Yes – Committee Members Lee, Anderson, Clites, Jenkins and Wright

No – N/A

Abstain – N/A

Absent – Chairman Turnure and Committee Member Littleton
(Councilmember Pearson is a non-voting member of the Committee.)

COA 19-32 (S 19-16): Projecting Sign – 1 West Washington Street – Thomas & Talbot Real Estate

It was noted that there was no representative present for this application.

The Committee questioned whether this sign would use the entire sign allotment for the building. Deputy Town Administrator Moore advised that they would have a couple of square feet remaining.

The Committee held some discussion regarding the height of the sign and the sign brackets.

Committee Member Anderson moved, seconded by Committee Member Clites, that the Historic District Review Committee approve COA 19-32 (S 19-16), a request for a projecting sign at 1 West Washington Street, as presented.

Vote: Yes – Committee Members Lee, Anderson, Clites, Jenkins and Wright

No – N/A

Abstain – N/A

Absent – Chairman Turnure and Committee Member Littleton

(Councilmember Pearson is a non-voting member of the Committee.)

COA 19-33 (S 19-17): Wall Sign & Freestanding Sign – 14 South Madison Street – Old Ox Brewery

Graham Burns appeared before the Committee representing his application. He explained that they were proposing to reduce the size of the sign on the building from what was previously approved so it would be in better proportion to the building. In addition, they wanted to change its color scheme as they were concerned that the black and gold colors would be difficult to see after dark. Mr. Burns reported that they also added the word “Middleburg” to the sign to highlight that this was their Middleburg location. He advised that the freestanding sign would replace the former freestanding sign for the building and was of the same dimensions. Mr. Burns noted that its colors would match their corporate colors.

Committee Member Wright moved, seconded by Committee Member Anderson, that the Historic District Review Committee approve COA 19-33 (S 19-17), a request of Graham Burns for a wall sign and a freestanding sign at 14 South Madison Street, as presented.

Vote: Yes – Committee Members Lee, Anderson, Clites, Jenkins and Wright

No – N/A

Abstain – N/A

Absent – Chairman Turnure and Committee Member Littleton

(Councilmember Pearson is a non-voting member of the Committee.)

October Meeting Quorum

The members who were present indicated they would be present for the October 3rd meeting.

There being no further business, the meeting was adjourned at 5:55 p.m.

RESPECTFULLY SUBMITTED:

Rhonda S. North, MMC, Town Clerk

HDRC Meeting Transcript – September 5, 2019

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video of the meeting that is on the Town's website – www.middleburgva.gov)

Punkin Lee: I'd like to bring the meeting to order please. Let's start with a roll call.

Estee LaClare: Good evening. Estee LaClare.

Bill Anderson: William Anderson.

Punkin Lee: Punkin Lee.

Virginia Jenkins: Virginia Jenkins.

Cindy Pearson: Cindy Pearson.

Rhonda North: Rhonda North, Town Clerk.

Punkin Lee: Thank you. First thing we'll do is approve the minutes from the August 1st meeting. Has everyone had a chance to read them? Any changes or omissions?

Linda Wright: Make a motion we approve.

Punkin Lee: Is there a second?

Bill Anderson: Second.

Punkin Lee: All those in favor.

Everyone: Aye.

Punkin Lee: Opposed. Thank you. Thank you, Rhonda. First action item, new business COA 19-30 request of Steven, and before I butcher your last name, I'll ask you to.

Scott Majchrzak: Majchrzak.

Punkin Lee: Thank you. for a fence that 100 West Marshall Street. Thank you.

Scott Majchrzak: Yeah. So, I'm actually Scott Majchrzak. I'm his brother. He's actually the process of moving, so I'm representing him today. Thank you. So, this is new to me. Yeah. So, they're looking to put in a fence around their yard. If you all have the application. Is there anything specific you were looking for?

Bill Anderson: The sketch from long fence and the second sketch from long fence, I don't understand they're not the same. Is there, which one is it?

Scott Majchrzak: They are virtually the same.

Bill Anderson: No.

Scott Majchrzak: The house is flipped around in the.

Bill Anderson: No. The Pendleton Street side, where it's seven foot from the house.

Scott Majchrzak: Okay.

Bill Anderson: Does not show on the other one.

Scott Majchrzak: Gotcha. Okay.

Bill Anderson: It goes from the corner, which I think is preferable. But I guess there's a door there. Why do you want it?

Scott Majchrzak: There is a door, actually. Yeah, I've see there are markings on the yard at this moment and it does show the extension to the side ending right before the door.

Bill Anderson: Okay, so that's the correct one.

Punkin Lee: And it's still going to be stained?

Scott Majchrzak: Yes.

Cindy Pearson: Is there something in the regulations about stain versus paint?

Estee LaClare: So essentially, he had a brother presented with a clear coat of stain per the regulations. You guys have some leeway, I believe, based on [off mic] and I discussed. But typically, it's a stain or a paint that is applied per what our ordinance says for the HDRC.

Will Moore: So, if helpful what the guidelines say specifically is that a wood fence, with the exception split rail must be painted or stained. Guidelines aren't exactly clear as to whether or not that intends, that it be pigmented somehow, or if it's just intended to protect it from weathering naturally. So, it's not 100 percent clear. So, you kind of have some discretion as to how you would interpret that guideline, whether it was intended for a pigment or not.

Bill Anderson: My thoughts on it is it's just my personal opinion as an [inaudible] that I think the house with the white trim on it, a white picket fence would look much nicer there than a wooden fence that's stained, a stained natural. I mean. It would just give it a really nice sharp little feel to it.

Virginia Jenkins: [off mic]

Linda Wright: Yeah, a white stain would be great.

Bill Anderson: I know people don't like to do that because they have to paint it every so often.

Linda Wright: But there are lots of good white stains and they don't peel.

Bill Anderson: But I think it would just make it much more attractive. Personally.

Linda Wright: It'll look like it goes with the house more than something that's a different color. It's like putting a wood deck on a house like this. They don't look like they belong.

Punkin Lee: I think the white would look nicer too. Any other comments? So, we would recommend the white stain in a motion.

Will Moore: So, you can even do this a couple of ways. If the applicant or his representative is amenable to white, right, you could ask that question of him. And if he is, then you could include it as a condition and you could maybe stipulate it could be his brother's choice of whether it's a white paint or a white stain, but if they're amenable to that.

Scott Majchrzak: I believe that is, sorry, let me check my notes for a moment. Thank you for your indulgence. Generally, looks like, yes, a white would be reasonable.

Punkin Lee: Nice.

Estee LaClare: Did he state stain or paint?

Scott Majchrzak: He did not. What I could do is I can contact him within the next few minutes. If you want to give me a moment, I can contact him and verify that.

Punkin Lee: Sure. If you've got him, then it would end. You wouldn't have to worry [multiple speakers] Everybody happy with either or long as they're happy.

Bill Anderson: If the stain is prominent white.

Estee LaClare: And we can follow up with him.

Bill Anderson: Right.

Punkin Lee: Any other discussion on this? Is there a motion?

Bill Anderson: I'll make motion COA 19-30 for a new fence at 100 West Marshall Street. We approved the application with a painted white fence or a stained white fence and in the application, the plan. I can't determine which had a [inaudible] which one which. The plan that shows the fence 7 feet from the Pendleton side of the patio is the plan that is approved.

Punkin Lee: Is there a second?

Virginia Jenkins: Second.

Punkin Lee: All those in favor.

Everyone: Aye.

Punkin Lee: Opposed. Thank you.

Scott Majchrzak: Thank you very much.

Punkin Lee: Next COA 19-31 (S 19-15) Request of Hunt Country Realty LLC for the installation of an outdoor brochure case at 4 West Washington Street.

Peter Leonard-Morgan: Good evening. I'm here in place of John Ralph whose mother's having a birthday party tonight. I work for Hunt Country Sotheby's in Middleburg. And I'd love to just briefly describe what we're trying to do is have a brochure cabinet on the property side of the iron fence, which would allow us to put some of our current listings. We have Sotheby's brochures in the cabinet. And originally, I had sort of put together something that was a bit too big, Will advised me that it's all based on the the frontage of the building. So, I believe that this is the correct square footage that meets the parameters. And then Quail Run is proposing to stain it in the Hunt, well the Sotheby's dark blue, as you

can see here, the case itself is, is a proprietary case that he gets hold of. That is a powder coated metal frame with a sort of swings up and it's got a key. And so, people don't steal our valuable brochures. And that would be on, I think, four by fours posts with little [inaudible] on the top.

Punkin Lee: I had two questions. How close is it to the to the fence because how do you change it because the sidewalks going down?

Peter Leonard-Morgan: Right. So, my my my feeling was we'd have it quite close to the fence. So, the people walking on the street and they can see it rather than have to sort of, you know, stretch too far over. And that way we can then change them from the other side of the fence if necessary.

Punkin Lee: So, there will be a setback enough to be in between.

Peter Leonard-Morgan: Yeah. Right.

Punkin Lee: And get the top.

Linda Wright: Be able to open it.

Peter Leonard-Morgan: Right. Yeah. I think it'll swing open above the fence. Yeah. Yeah.

Punkin Lee: I mean that's what I was. And then it says illuminated.

Peter Leonard-Morgan: So, the illuminated is its basic LED, very low voltage LEDs that are inside the top of the case that just gently flood a bit of light downward so at night you can see the brochures and they apparently use up hardly any energy at all. So, they're on day and night.

Punkin Lee: How does that work Will or Estee.

Estee LaClare: It actually does. Will and I discussed it, but the downlighting. It does meet per the guidelines [inaudible] lighting.

Peter Leonard-Morgan: I don't think you can even see them, actually, because they're sort of behind that black top rail.

Estee LaClare: Just gives like a glow from what we were look at when we were reviewing.

Punkin Lee: I would think as long as you're up behind the band so you don't look at.

Peter Leonard-Morgan: So, you don't actually see the light bulbs.

Bill Anderson: Yeah, it's basically a lighted sign.

Punkin Lee: I know, without the. That's why I was.

Cindy Pearson: Because what you're doing is showing a specific brochure, you're not. It's not a place where people pick up brochures.

Peter Leonard-Morgan: No, it's not. No.

Cindy Pearson: It's a certain property you're showing.

Peter Leonard-Morgan: Right. Well, I think it would take four sort of letter sized brochures. So, the brochure is a landscape 8 1/2 by 11 approximately. And I believe that it would take four of those in there. And you just change now as you hopefully sell properties. [off mic]

Bill Anderson: This is the one still exists in front of Middleburg.

Linda Wright: Real estate.

Bill Anderson: Real estate. And that's not lit. That's the only other one in town I know of that's not within a window.

Peter Leonard-Morgan: Sheridan MacMahon's got one. [multiple speakers] Yeah. Yeah. I think they've got a double, like sort of a triangle one.

Punkin Lee: The one that [inaudible] has on the corner.

Linda Wright: Washington properties has got one too in the door.

Bill Anderson: Is it lit?

Linda Wright: It's recessed in the door. I don't think so.

Bill Anderson: Yeah. Apparently, it's really. I guess it's allowed by the regulations, but. I don't know a lighted sign there just doesn't feel right.

Virginia Jenkins: [off mic]

Punkin Lee: It's lit. His is lit.

Virginia Jenkins: [off mic]

Punkin Lee: Because it never was. It didn't go through here, I believe. And just got put up with the light.

Bill Anderson: [inaudible] and it's on the side of the building, right?

Punkin Lee: Yeah.

Bill Anderson: So, there's precedent for that. Ok.

Punkin Lee: Then it's internal also.

Linda Wright: And it moves.

Punkin Lee: Yeah, the screen moves. That was the whole thing.

Will Moore: Yeah. Sorry. I just need to interject so it's on the record. Nothing that occurred with the Thomas & Talbot video screen should be considered as precedent setting. I just want to make sure that that's clear on the record.

Punkin Lee: We were thinking more of the lighting.

Will Moore: There's no precedent. Nothing involving that includes any precedent setting that was subject to board zoning appeals actions. There were numerous things that happened there was. So just when you're when you're thinking of signs and illumination just pretend like that doesn't exist.

Punkin Lee: But the illumination that Peter is asking for falls under the.

Will Moore: It's tough to say. We do have a prohibition on internally illuminated signs. So, you could argue that this is an internally illuminated sign and that if they wanted lighting, they should do it with outward downward spots. I had looked at this more carefully from the aspect of whether or not the lighting was completely shielded here, which it is. But that is a good point. If this could be interpreted as an internally illuminated sign, which if we would interpret it that way, we would not allow this with the lighting strip inside.

Bill Anderson: Now, I'm not if I'm personally not just a fan of a lit sign like that. You know. Now from a practical point of view, I guess in the wintertime after five o'clock at night, potentially somebody would be walking down the street one look at the sign, but most other times that's not the way I would think that that information would be viewed, but I'm sure there are some people who would do that. But I personally don't think it should be lit.

Linda Wright: I would agree. I think that's not the right thing.

Cindy Pearson: And is it setting a precedent that other people. Thank you. That will they will then want to have theirs all lit. And then you'll have all these lit signs up and down because we have so many real estate offices. So, it's not just that this is I mean, this is nice and it would be good to see it, but then you're gonna have another. How many real estate offices do we have in town?

Bill Anderson: I think you have a good point.

Punkin Lee: A lot of lit boxes.

Cindy Pearson: I don't think it's personal you know, thoughts. I think it's what you want to happen in the town.

Bill Anderson: I agree. I think the sign that's presented here with this structure is presented here is nice. It looks good. I don't have any problem with that, it's just the lighting.

Peter Leonard-Morgan: So, we just won't plug it in. That way we don't have to find. [inaudible] Yeah, exactly. It was in my mind of how to do that. Yeah. Yeah.

Punkin Lee: I think other than the illumination part, it's a nice presentation.

Peter Leonard-Morgan: Thank you. Great. Thank you very much.

Punkin Lee: You have any comment Tim?

Tim Clites: I agree. [laughter]

Punkin Lee: Are there any other comments, suggestions? Is there a motion?

Bill Anderson: Motion for COA 19-31 for the installation of an outdoor brochure case at 4 West Washington Street that we approve this application as presented with one exception and that is the case should not have any lighting, powered lighting.

Linda Wright: Second.

Punkin Lee: All those in favor say aye.

Everyone: Aye.

Punkin Lee: Opposed? Motion passes.

Peter Leonard-Morgan: Thank you very much indeed. Good evening.

Punkin Lee: Do we go with the next one Estee since no one's here?

Estee LaClare: We spoke with him and Will and I came up with it. We're going to present it to you. You can review it at this time. And I think he paid the application fee today right?

Punkin Lee: Next item is COA 19-32 (S 19-16) Request to Phillip Thomas, trustee for a projecting sign at 1 West Washington St. Thomas and Talbot Real Estate. Does this use up all of their signage or does it start again since it's on the front street?

Will Moore: It's cumulative, but they do have an allotment left. [off mic] So they probably still have a couple square feet.

Punkin Lee: So, the size and everything is.

Bill Anderson: And its height is appropriate to it I guess, off the ground.

Linda Wright: How does it actually hang off the bracket? Nothing's shown.

Estee LaClare: Well, looks like there's little, further rendition. The simulation, the little black prongs that would hold it from the brackets.

Linda Wright: Doesn't show anything there. [inaudible] It's gonna float out there. [inaudible]

Punkin Lee: It matches everything that goes around the turn too. Any further discussion on this one? Is there a motion?

Linda Wright: It's an existing bracket, right?

Cindy Pearson: Do you want to see the brackets before you approve it or does it matter?

Bill Anderson: It looks like, I assume it's as presented here, which is.

Cindy Pearson: Yeah, it's not on there.

Bill Anderson: Black, [inaudible] square or round somehow holding the sign, you know. I think it's pretty straightforward.

Cindy Pearson: Custom bracket.

Punkin Lee: Should match the ones on the other side that I think that are on a chain.

Bill Anderson: But it says as presented. It should look like this.

Punkin Lee: So, is there a motion?

Bill Anderson: I'll do a hat trick here. COA 19-32. Request for projecting sign at 1 West Washington Street to be approved as presented.

Punkin Lee: Is there a second?

Tim Clites: Second.

Punkin Lee: All those in favor.

Everyone: Aye.

Punkin Lee: Opposed? Motion passes. Next COA 19-33 S-19 request of Graham Burns for a wall sign a free-standing sign at 14 South Madison Street. Old Ox Brewery. How are you this evening?

Graham Burns: I'm great, how are you all?

Punkin Lee: Good. Thank you for coming in.

Graham Burns: Thank you.

Punkin Lee: The floor is yours, press on.

Graham Burns: So basically, I'm trying to accomplish two things. Number one, the sign is originally approved for the side of the building. We had severe second thoughts on a number of levels. We wanted to accomplish three things with a change. One was to slightly reduce the size of the sign. We thought it was a better proportion to the size of the building. Number two, we wanted to change the color scheme. We were concerned that the black background with the gold lettering was going to be difficult to see, particularly after dark. And finally, we wanted to highlight the fact that this was our Middleburg location. So, we added the word Middleburg underneath Old Ox Brewery to do that. And that's my point on that sign. Should I proceed to the other sign or do you want to take them one at a time?

Punkin Lee: Go ahead.

Graham Burns: The other sign is a free-standing sign that hangs from a signpost near the stairs leading down to the brewery from South Madison Street. It replaces a sign that was there, in fact, that bears the same dimensions and the same shape as the sign for the old medical center. This one is also made of wood. However, the color scheme again matches the color scheme of the corporate colors, so to speak, with a white background, black lettering with part of the logo in blue and the text in black also.

Bill Anderson: Is this, do you know if this meets the height off the ground, the second sign?

Will Moore: So, when it's not actually hanging over a sidewalk.

Bill Anderson: Because the barrel is there?

Will Moore: Well, it's maybe an inch or two encroachment. It's not actually over the passage way, which is the intent of the height requirement is to keep it clear for pedestrians. So, yeah, this is fine as it is.

Linda Wright: Well, they're plantings going right through there, too, right in front of a wall [inaudible].

Graham Burns: No, that's kind of offset. It's over what would be a planting area, I suppose. It's a dirt area now.

Linda Wright: Wasn't that on the landscape plan? Aren't there plants proposed to go up there? [multiple speakers]

Punkin Lee: Just on the inside. Any further discussion?

Linda Wright: They're nice. Looks very nice. Good.

Punkin Lee: Is there a motion? [off mic]

Linda Wright: Oh me? Okay. Hang on. Get back up here so I can read what I'm supposed to say. I'm going. There we go. I make a motion. We approve COA 19-33 S 19-17 request of Graham Burns for a wall sign and free standing sign at 14 South Madison Street as presented.

Punkin Lee: Is there a second?

Bill Anderson: Second.

Punkin Lee: All those in favor.

Everyone: Aye.

Punkin Lee: Opposed. Motion passes.

Graham Burns: Thank you all for your consideration. I appreciate it.

Punkin Lee: Nice to have you all.

Graham Burns: Stop by and see us.

Cindy Pearson: Be there right after the meeting. [laughter]

Graham Burns: Thank you. Good night all.

Cindy Pearson: Yeah, I did. [off mic]

Punkin Lee: Do you have any discussion items?

Will Moore: I don't have any discussion items for this month. No.

Punkin Lee: Does anyone have any? The next meeting is October the 3rd. Everybody here? No plans. Everybody's home? Good. [off mic] Nothing else?

Will Moore: No ma'am.

Punkin Lee: Ok.