

MINUTES
HILTON VILLAGE ARCHITECTURAL REVIEW BOARD
WEDNESDAY, FEBRUARY 4, 2009
HILTON LIBRARY
7:00 P.M.

PRESENT: J. Roger Hamilton, III; Chairman, Connie Keator, Robert Saunders, Katie Stodghill, Douglas Nunnally, John Warters

ABSENT:

STAFF: Johnnie E. Davis, Planner-Planning Services

- (1) Mr. Hamilton stated the first item on the agenda is the Department of Planning's Homeowner's Guide proposal. Mr. Davis introduced Mr. Al Riutort; Director of Planning, and Saul Gleiser, Senior District Planner. Mr. Davis said the Board had discussed this at a previous meeting. Mr. Riutort said about a year ago the City Manager met with Dr. Tomas Wessells about hiring a consultant to do the guidelines. He said they are all very aware that the Board is the stewards of the guidelines, and that the guidelines will not be changed unless the Board agrees to change them. Mr. Riutort said Dr. Wessells had some issues with a slate roof in the commercial area, and there were some other issues concerning windows with grids on the exterior, and Sandra Dekker had an issue concerning gutters. He said Dr. Wessells' proposal was to look at the commercial guidelines for the commercial district. Mr. Riutort said his response to that was if the guidelines are going to be reviewed, that the entire guidelines should be reviewed. Mr. Riutort said at the time the City was more flushed with money, and that Dr. Wessells wanted the City to pay for a consultant to review the guidelines along with a citizen's committee. He said it never got pushed hard, due to his involvement with the Framework for the Future. Mr. Riutort said he asked Mr. Saul Gleiser; Senior District Planner, to contact some consultants to look at the guidelines. He said Mr. Gleiser approached four consultants and he received a range of different prices. Mr. Riutort said the consultants were told that they had to work with the Board on the guidelines. Mr. Riutort said they got a good price from a firm out of Richmond called BAM. He said the City Manager is in agreement if they can get approval to move forward. Mr. Riutort said he looked through the guidelines and he thought that the consultants can put the guidelines in a more easier format. Mr. Riutort said he will let Mr. Gleiser explain what BAM intends to do. Mr. Gleiser said he use to work for the Ohio Historic Preservation Office. Before working for Ohio he use to work for the German Village Commission of Architectural Review

in Columbus. He said when he started working for them they were in the process of taking out the capriciousness in their guidelines. He said as in Ohio as well as in Virginia when the Department of Historic Resources look at guidelines they require that the guidelines are based on the Secretary of Interior Standards. Mr. Gleiser said when you have a historic district; people like to take advantage of tax credits. Mr. Gleiser said to take advantage of tax credits, you need to meet the Secretary of Interior Standards. He said it is good that the guidelines are based on these standards so that the Board does not make a decision that will jeopardize an applicant from getting tax credits. Mr. Gleiser said after working for Ohio he worked for the City of Richmond, and he showed the Board a set of guidelines that he worked on with their architectural review board. Mr. Gleiser said that one of the members of BAM use to be the chairman of the commission, and he has offered to do the guidelines for a very low price. He said what they are proposing to do with the Board's guidelines is to look at the guidelines and see what meets the standards and what does not, and then have an open discussion with the Board. Mr. Gleiser said they would come up with a proposal that would clean up the guidelines, and make them more user friendly. He said this would make sure that any decision that the Board makes based on the guidelines will meet the standards so that in the future, if someone wanted to take advantage of the tax credits, that they would not have a decision from the Board that would be a completely different decision than what they would get from the Department of Historic Resources. Mr. Hamilton asked what type of time line would there be? Mr. Riutort said they were planning to have them at this meeting; however, they could not make the meeting. He said if the Board is interested; he will have them attend the next meeting. Mr. Waters asked if this is something that is in the City's financial budget. Mr. Riutort said he did not know exactly where the money is right now, but that it was such a low figure that the City Manager said that he could probably be able to find the money for it. Mr. Nunnally said that he is not aware of anyone having any problems with the guidelines as far as someone trying to get tax credits. He asked the Board if anyone else was aware of anyone having problems. No one was aware of any problems. He said he did not think that historic tax credits is a problem that the Board needs to address. Mr. Nunnally said the problems that he perceives that the Board has had over the last couple of years is that there were just a couple of people who just did not like how the guidelines were written. He said he did not perceive that there was any ambiguity in the guidelines at all. Mr. Nunnally said there were people who did not like the half-round gutters, and there was someone who did not think that the Board should require slate in the commercial district

on Warwick Boulevard. He said the only problem that he sees is what the Board needs to decide on with regard to what needs to be in the guidelines. Mr. Nunnally said he did not see a need to change it. Mr. Riutort said the whole thing got started when Dr. Wessells came to the City Manager about the slate, and then later that year, there was the issue with the gutters. He said he and Mr. Gleiser looked at the guidelines and decided that they were hard to follow. He said that you might get more compliance if the guidelines were easier to use. Mr. Nunnally asked how much will it cost to do the guidelines. Mr. Riutort said about \$5,000 which was significantly lower than the other firms. Ms. Keator said the Board will always have the problem of people who come before the Board and the Board ask them if they have a copy of the guidelines, and the response is yes, but they did not read them. She said you will not solve that problem by having a new set of guidelines. Mr. Riutort said whatever is done will also be looked at by the state. Ms. Stodghill asked what would the procedure be in redoing the guidelines. Mr. Riutort said he was not certain how they would do it. Mr. Gleiser said they would probably hold at least two community meetings. Mr. Hamilton said that it seem to him that the problem that the people have had in the past was not being able to understand the guidelines or that they were not accessible, but that they had problems with the cost of the materials that the guidelines required. He said even with reformatting the guidelines, they will still have a problem with it. Mr. Nunnally said it might be an improvement, but it will not solve the problem. Ms. Stodghill said she agrees that most people did not have a problem understanding the guidelines. Mr. Waters asked if they would like to have a decision from the Board. Mr. John Schmied asked if the Board was going to open the discussion for public comment. He said he thinks that he should be able to say something as a taxpayer, and a former member of the Board. Mr Schmied said he thinks that the City is going about this the wrong way. He said they are basing their judgment on the guidelines needing to be revamp by people who have broken the law. Mr. Riutort said that Dr. Wessells went down to the City and complained enough to the right people and got them to agree with him. Mr. Schmied said Dr. Wessells is still today breaking the law, and there is a standing violation on his business where the Board denied his application, and he went on and did the work anyway. He said basically what you are saying is since certain people did not want to follow the guidelines, that you are saying that the guidelines are flawed. Mr. Schmied said that there have been hundreds of people who have come before the Board when he was on the Board that did the right thing. He said they found the guidelines to be very easy to use, and they found the Board members to be very receptive to their projects. Mr.

Schmied said they got extreme help from every member on the Board, including going out on site visits. He said every single time that the guidelines have been challenged that they have been upheld. Mr. Schmied said he does not see how spending money for something that has been done for free for all of years since the Board has been in existence could be helpful. He said the guidelines are easy to use. Mr. Schmied said he finds it hard to believe that the Board would want to rewrite the guidelines, because you have people who did not want to follow the guidelines. Mr. John Lash asked if anyone knew if the Department of Historic Resources have ever reviewed the guidelines. Ms. Stodghill said she thinks that the guidelines for the commercial district has been reviewed by VDHR, but not the ones for the residential district. Ms. Stodghill said that perhaps that is where the Board should start. Mr. Riutort said he could not recall the guidelines ever being reviewed by the state, and he asked Mr. Davis if he knew of the guidelines being reviewed. Mr. Davis said the guidelines for the commercial district has been reviewed by the state, and that the state preservation officer has attended a couple of the Board's meetings. Mr. Lash said he recalled those meetings, and unless he was mistaken he recalled that the state preservation officer did not have anything negative to say about the Board's guidelines. He said he recall her saying to the citizens that she was glad that they had the guidelines so that they could be eligible for the state's tax credit. He said he would really like to see the state look at the guidelines so that we will know without a doubt whether or not they meet the standards. Mr. Riutort asked Mr. Lash if he thought that the guidelines were easy to use. Mr. Lash said he thinks that there is enough resources available for people who want to find out something that they should be able to do so. He said one thing that has helped is the signs that are put up in the yards by the residence informing them that they are coming before the Board. Mr. Lash said he could not see how anyone could come before the Board and tell them that they did not know about the Board. He said neighbors are giving out welcome packages and that is being done consistently. He said the Homeowner's Guide is on the web, that there are copies available at the library, and there is also a paint chip Board at the library. He said he is not expecting everyone to know about everything that is in the Homeowner's Guide; however, basic things like windows, gutters, paint, and stucco are items that they can go to the table of contents and find them. He said nice pictures in a new document might be good, but he has a problem with doing something like this during these economic times. Mr. Lash said he would prefer doing it in house or exploring some other options. He said consultants will tell you what you want to hear. Ms. Stodghill said that redoing the guidelines will take the heat off

the Board. Mr. Lash said he did not agree. He said the Board will still get the blame for what's in the guidelines. Mr. Hamilton said another option that people have is to come before the Board and discuss their project before they come before the Board with their application. Mr. Lash said the Preliminary Design Review process is a great opportunity for people who does not know about the guidelines to come before the Board and find out what they need to know before they do something. He said that unfortunately the majority of the violators do the work first, and then they get caught and come before the Board later. Ms. Stodghill said she thinks that the language in the guidelines should be made crystal clear. Ms. Keator said that as a compromise she thinks that the Homeowner's Guide should be sent to the Department of Historic Resources for their review. She said this would not cost the City anything. Ms. Keator said this should address Dr. Wessells' concerns. Mr. Lash said he thinks the Board should do that whether a consultant is brought in or not. Ms. Keator said depending on what the DHR comes back with the Board could then decide whether or not to go with a consultant. Mr. Saunders asked if that is something that DHR will do. Mr. Lash said all it would take is a phone call, and he felt that would be something that they would be interested in doing. Ms. Stodghill asked Mr. Schmied to look at the Richmond guidelines. Mr. Schmied looked at the guidelines and said that the guidelines looks like they were taken off of the Department of Interior's guidelines, he said that it is almost word for word and it look like the web site may have been copied in places. Mr. Schmied said their guidelines looks like they might be more restrictive than Hilton's guidelines. Mr. Riutort said the Board will determine how restrictive the guidelines will be. Ms. Dekker said if you are just reformatting it than it sound good to her and that it would help the Board to move more into the 21st Century. Mr. Lash asked if Huntington Height's guidelines will be done by the consultant. Mr. Riutort said that only Hilton's guidelines will be done by a consultant. Mr. Lash said could we at least agree that the Board should send the guidelines to the state for their review. Mr. Hamilton said he thinks that the Board could see if the guidelines could be reviewed by the state and how long it would take them to do it. Mr. Riutort said the Department could send a letter to the Department of Historic Resources and report back to the Board at the next meeting.

The meeting was adjourned at 9:00 P.M.

Johnnie E. Davis
Planner - Planning Services

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