

EMAILS FOR THE RECORD - PLANNING COMMISSION MEETING JULY 15, 2021

From: tom priscilla <tommasopacelli@gmail.com>
Sent: Wednesday, June 30, 2021 8:19 AM
To: Hays, Diana; Hankins, Sally; Stinnette, Murrell; Grewe, Joel
Subject: Proposed Historic Overlay Zone

Please accept this email as my request to NOT be included in the expanded Historic Corridor Overlay Zone. I remain OPPOSED to my property's inclusion. Thank you.

Tom Priscilla

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From: Kecia Brown <keciabrown@me.com>
Sent: Friday, July 2, 2021 4:21:44 PM
To: Brandon Gibson
Cc: Fraser, Kwasi; Nedim Ogelman - Personal; Milan, Stanley; Ogelman, Nedim
Subject: Re: historical home plaque for 330 S. 20th St

That's wonderful, Brandon!! What wonderful discoveries. I would only tell you to make sure you have archival materials in your frame so as not to decompose your artifacts. It sounds like Purcellville's Architectural Review Board has offered the plaque! Maybe someone in this email will be able to steer you to the correct person (I'm used to our organization having to buy historical plaques, so hence the two companies). I'm also unaware what the "HCOD" is that is referred to in this article. I'll look forward to hearing from Mr. Ogelman or Mr. Milan.

Kecia

From: Brandon Gibson <brandonmgibson@gmail.com>
To: Kecia Brown <keciabrown@me.com>
Sent: Friday, July 2, 2021

I got a letter today saying my house is supposed to be included in the Purcellville HCOD. I'm at 330 S 20th St.

I saw in the Blue Ridge Leader that I would qualify for a free plaque (is that true?).
<https://blueridgeleader.com/expanding-purcellvilles-historic-district-public-hearing-july-15/>

I actually had been wanting to get one for a few years now because I've seen them all over town and I think my home is one of the older ones in Purcellville. Additionally, I have some historic artifacts that were discovered when my house was renovated in 2013. I had them framed and would be willing to share with the Town if there is some sort of history display. I also found some childrens' writing that included their names on the underside of my floorboards dated 1920.

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From: DEUK YEON
Sent: Friday, July 2, 2021 5:19 PM
To: ddooley@purcellvilleva.gov
Cc: Deuk Yeon
Subject: Absolutely Oppose Zone Change Proposal: Two Parcels at 140 S. 20th Street, Purcellville

How are you?

Thank you for answering my questions this afternoon.

Due to my need to sell my bldg and two parcels at the address above and a current contract signed by sellers and buyers, I worry about all negative impacts on this sales contract, buyers' concerns and in the worst scenario, if buyers cancel their purchase agreement, I absolutely oppose this burdensome proposal to change the zone and new restrictions associated with this Town's Corridor Overlay District proposal.

I cannot afford to pass this proposal in any means. If so, my family will suffer financially, mentally, and spend more time managing and changing my own bldg and obtaining permission or approval from Purcellville Town.

Please wipe out this burdensome, unnecessary, and anti-business proposal immediately so that I do not even need to attend Hearings to oppose this proposal.

Thank you for counting my opposition into your decision making process.

Kyong Yeon
on behalf of Rainbow Realty & Investment, Inc.
703-909-2161 or 909-8404 Deuk Yeon

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From: David Yeon <rainbowyeon@hotmail.com>
Sent: Friday, July 2, 2021 5:22 PM
To: DEUK YEON <deukyeon@comcast.net>; Dooley, Don <ddooley@purcellvilleva.gov>
Subject: RE: Absolutely Oppose Zone Change Proposal: Two Parcels at 140 S. 20th Street, Purcellville

I absolutely oppose this zone change that negatively affects my business and income. Please count my opposition as well.

Thank you.

David Yeon

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From: Beverly Macdonald <bevmacdonald99@aol.com>
Sent: Tuesday, July 6, 2021 11:17 AM

To: Planning Commission
Cc: Beverly Chiasson; Only Town Council; Mekarski, David
Subject: July 15th Planning Commission Public Hearing Comments -Historical Overlay District

Purcellville Planning Commission,

I love Purcellville.....I'm sure because Mom instilled in all of us her love of our Town as did the 4 family generations before her.

Therefore, I thank you for your interest in preserving Purcellville's history however I have concerns.

I have a vacant lot that is on the corner of 28th Street and Main Street that appears to be in the current corridor although I don't remember receiving an initial notice. Maybe that is because single family residential structures were exempt, from the ordinance, for building and improvements.

Although my current home is not part of this expanded corridor it is my understanding that it is the intent of the Planning Commission for the Town to review and include structures as they become qualified. ***With this I do not want to be included in any future historic corridors.***

I have listened to all of the Planning Commission discussions on this topic since last year. Conversations have gone from including BAR review on some home improvements, to no.....just demolition requires approval....to maybe some things require approval. As of the last meeting I'm not sure there was a good understanding among all PC members (and therefore staff) as to what approvals are needed for what actions AND what qualifies a home to be a "contributing" structure.

Planning Commissioners have been very much aware of the vast concern from property owners when this was last attempted. (in 2008 I believe).

These actions will not impact most Town Council and Planning Commissioners as they live in newer homes. However, I know there is an appreciation from at least one Planning Commissioners as to the cost for requiring original or like replacement of home buildings materials A commissioner acknowledged she did not replace her home's roof with like materials(tin) due to costs.

Purcellville has chosen to let the historical barns at Valley Springs fall into disrepair due to cost of rehabilitation of these structures. We know the cost of rehabilitating the Aberdeen Home. The Mayor has noted the Pullen house could be demolished and replaced with a new home bringing with it new Purcellville residents and an increase in tax revenue. Sometimes very difficult decisions are made for the benefit of all.

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From: Mitch Pilchuk, 140 N. Hatcher Ave
Email: mpilchuk@pilchuk.com
Sent: Saturday, July 10, 2021 12:50 PM

I am concerned about the zoning change affecting my property. I don't find that having another layer of government above me is beneficial. You already have enough control over my assets without adding me to the historical district.

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July 12, 2021

By Regular Mail and Email Mr. Don Dooley, MPA, MHP Senior Planner &
Planning Commission 221 S. Nursery Avenue
Purcellville, Virginia 20132

Re: PROPOSED ZONING CHANGE TO REAL PROPERTY OF ERIC S. LYLES AND LYLES FUNERAL SERVICE
PARCELS 489484785000, 489483383000, 489482494000

Dear Mr. Don Dooley, **MPA, MHP**, Senior Planner :

This letter is in response to your letter dated July 1, 2021 informing me about a proposed change to the the Zoning Ordinance for the Town of Purcellville that would down zone my business and property located at 630 South 20th Street by including it in the Town's Historic Corridor Overlay District. And furthermore may result in jeopardizing all investments and cause or threaten irreparable damages to the interest in the real property and business. The thrust of this letter is to suggest that the Town of Purcellville take no action with respect to the suggestion made by the Planning Commission to down zone this property by placing it in the Town's Historic Corridor Overlay District based upon the following legal reasons.

Research by this office indicates that this property which the Planning Commission proposes to change falls under Court Ordered Zoning in the Circuit Court of Loudoun County in the case of Eric Sheldon Lyles v. Ronald M. Masters, Mayor, et al., At Law No. 12273.

The Defendants refused to list the Plaintiffs property on the Zoning Map from the date of its rezoning in 1985 to 1992 and caused subsequent rehearing on assertions that his zoning was erroneous namely in April 1989 and again in 1991 causing rise to this action.

The failure or disclaimer by the Town Council of Purcellville to include or properly identify the Real Property of Eric S. Lyles and Lyles Funeral Service in accordance with the 1992 Court Ordered Zoning in the Circuit Court of Loudoun County in the case of Eric Sheldon Lyles v. Ronald M. Masters, Mayor, et al., At Law No. 12273. in the Zoning Ordinance and Zoning Map will be action tantamount to the downgrading of this property and may cause rise to new action.

It is apparent that you were not aware of our Zoning being under Court Order. The proper research will preclude the possibility of any litigation.

Yours very truly

Eric S. Lyles

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From: Dawn Bowman <db1122@me.com>
Sent: Monday, July 12, 2021 8:59 AM

To: Planning Commission
Cc: Only Town Council
Subject: No to Historic District Overlay

Planning Commission

I am not in favor of expanding the Historic District Overlay. Having watched many of the Planning Commission meetings, it is obvious that the Committee is not clear on the guidelines and what this exactly means to the citizens you are impacting. The citizens do not need a Government imposed HOA and you are only doing this as an attempt to "stop" something and not to better the town.

This is my notice that should this pass, in the future I do NOT want my house included in the Historic District overlay.

Dawn Bowman
211 N 28th Street

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From: Margaret Vaughan <mvmath42@aol.com>
Date: July 13, 2021 at 9:38:40 AM EDT
To: Only Town Council <purcellvilletc@purcellvilleva.gov>
Subject: Proposed changes in historical districts
Reply-To: Margaret Vaughan <mvmath42@aol.com>

Good morning..

I am Margaret W Vaughan and I have lived at 181 W K Street for more than 40 years. In the past, I have had the pleasure to serve on the Town's Planning Commission, Council and Zoning Appeals.

After reading the details of the proposed changes in the historical district, I am very strongly opposed. Most of the homes on my street are older and very well kept . A few have been remodeled beautifully and what an asset to the Town. One home, which was in poor condition, was torn down as it needed total upgrades for everything. The replacement is a lovely new home for a growing family. I feel homeowners should have options what to do their property and I feel my street is a typical one for the older sections of the Town.

I strongly feel it is an overreach by the Town to control adding porches, colors of home and shutters, etc. People take great pride in their homes. They do not need nor want the Town limiting their options and having to pay fees for hearings to improve their properties.

Thank you so much for your time and your serving on the Council. Take GREAT care.

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From: Brenda dowdy <tw_200@hotmail.com>
Sent: Thursday, July 15, 2021 10:33 AM

To: Planning Commission
Subject: W F street historical proposition

Good Morning,

I am writing to ask that you reconsider Including W F street in the historic district. These homes were only built in the 50's and do not hold significant historical properties. Many of the owners on F street have signed a petition asking to take F street off of the proposed historic plan. I am begging you as an owner of a home on F street and an educator in our community that would love to stay in this community please take us off of the proposed historical district map!

Sincerely,
Brenda

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From: Kathryn Ruckman <ruckmanfamily@yahoo.com>
Sent: Wednesday, July 14, 2021, 10:36 PM
To: clemarr@purcellvilleva.gov
Subject: Regarding changes to the HCOD

Hi Connie,

Could you please forward this email to the person who is in charge of receiving comments for the public hearing regarding changes to the HCOD on July 15?

To Whom It May Concern,

I would like to have my questions read at the public hearing on the evening of July 15, 2021 regarding the proposed changes to the current HCOD. I live in one of those homes (221 S 12th St) that is currently in the HCOD, and I am a Purcellville native, a child of Western Loudoun natives. Over the years I have welcomed the growth that Purcellville has seen, which has allowed us opportunities for local jobs and shopping options, as well as meeting new and wonderful people. I live three streets down from where I grew up, and I have noticed the changes as people move into Purcellville. We used to be a very rural, agrarian town, and Purcellville has changed quite a bit from that time of long ago. The issue I currently see is defining what Purcellville heritage is, and it doesn't always align with what I remember.

With that said, here are my questions:

- I understand that my home used to be a farm house for a pig farm when it was first built in 1910. Under the proposed changes to the HCOD, if I were to make exterior changes, by what standard would I be held to? Would I be asked to make my house more of its original construct, or to be in sync with one of the homes on Main Street, running counter to the actual heritage of my home?
- The house my parents used to live in on 9th Street was in a state of decay, mostly because for my parents' life they never had the money to fix it up. What would happen to people such as they under the proposed changes? Would they be notified that they need to fix it up at some point? Would there be a plan to help them with finances? Would they need to incur debt in

order to be in compliance and continue to live in the home? What would be the progressive process for people such as they?

We have all heard stories of overly aggressive HOAs and oppressive expenses to keep a home in a historic district accurate to an exacting degree. Although I truly love history, and love the history of my town, I wouldn't want this to devolve into a situation where I or any other home owner in the proposed HCOZ would have to incur distressive debt in order to appeal to another's viewing pleasure.

Thank you for listening to my concerns.

Kathy Ruckman

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From: Dallas Linkous <dalinkous5@yahoo.com>
Sent: Thursday, July 15, 2021 5:44 PM
To: Hays, Diana
Cc: Only Town Council
Subject: Historic Overlay

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Hays -

I am writing in opposition to the proposed historic overlay to include residences 50 years and older. I'm a lifelong resident of Purcellville and love the historic structures of Purcellville. My mom as well as my family have not been included in this wave of proposed residences over 50 years old which I am grateful even though we both live in older residences. Asking such demands of homeowners is not right. One of the nicest things of living in houses such as ours is having no homeowners association. Now we would be included in the hardest homeowners association possible to get things completed for an older home. How exactly is this going to help my older home? It's not being shown for tours or as historical place. It's my home, where I have chosen to raise my family. Is my family along with my mother going to get historical tax breaks or bonds issued to us to upkeep this historical site? What a deterrent for young homeowners to try and keep up a beautiful older house in my hometown.

How about we focus on more important issues in our town such as the ridiculous water and sewer rates we have?

This proposal needs to be voted no.

Thank you for your time,
Bessie Linkous
Along with my mother, Maria Kakouras

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From: Nate Cook <nate.cook8@gmail.com>
Sent: Tuesday, July 13, 2021 9:46 PM
To: commission@purcellvilleva.com; Only Town Council
Subject: 231 W K Street & Historic Zone Expansion

Good evening,

I'm unable to attend Thursday's meeting regarding expanding the historic district, but would like to share my opinion. Please include my message as part of the minutes at the meeting if possible.

My name is Nathan Cook, and I live at 231 West K Street. I grew up in Purcellville, work in Purcellville, and my family and I love the town and community.

My house was originally built in 1950. When we bought it, it was an eyesore. I would encourage you to search the address to see the photos of the original structure in place. However, it was torn down and completely renovated in 2020. The only remaining original feature is the foundation, which cannot be seen. My home is not a historic property, "feature," or structure.

Somehow my home would be included in the expansion of the historic zone, while my immediate neighbor's house (original structure that was built in the 1940s) is not. My house cannot be seen easily from Main Street. There is virtually no through traffic on K Street. The proposed expansion of the zone appears to be completely arbitrary.

Expanding the historic zone is not something the people that live here want, or have asked for. It would provide no benefit to the community. It would instantly create more hurdles for people who wish to do what we did with our house. I suspect that is the likely intent, but the consequences would be harmful to Purcellville as a whole as well as the people who live in the zones proposed to be added.

We've had multiple neighbors thank us for building a home like ours, because they know what it brings to the neighborhood and their property values. Had the proposed regulations been in place, we would have never purchased this property. It would still be a dilapidated structure and an eye sore. As a contractor and a lifelong Purcellville resident, I can tell you with confidence that the proposed zone changes will only result in more and more eye sores. There is little to no historic or beautiful architecture, structures, or "features" to maintain on K Street or the surrounding streets.

Please listen to the people that will be affected, and do what is right by your constituents. The suggested change is an clear overreach that will hurt almost everyone and benefit almost no one.

Thank you,
Nathan Cook

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Doreen C. Hope
711 Sonata Way
Silver Spring, MD 20901
(301) 642-6131

July 15, 2021

Town of Purcellville Planning Commission
c/o Office of the Town Clerk
221 South Nursey Avenue
Purcellville, VA 20132

RE: Public Comment on Zoning Change Affecting 521 S. 11th Street, Purcellville, VA 20132

Dear Commissioners:

I am one of the owners of the above-referenced residential property. My siblings and I recently inherited the property which has been in our family for nearly 100 years. We have enjoyed many short and long stays in Purcellville growing up, spending all of our holidays and summers here. The home was built by our grandfather, J. Leslie Cook, and was the birthplace for many of our aunts and our father. So needless to say, we are vested truly in the well-being of our property.

Moreover, our entire family has been vested in Purcellville. Our aunt and uncle Samuel and Josie Murray integrated the Purcellville Public Library in 1950s and owned a very successful upholstery and drapery business in town; and most importantly, our uncle, Basham Simms, was a public servant of Purcellville serving on the Town Council for a number of years, and ultimately as the Vice Mayor.

We thoroughly understand the need to preserve and protect the history of Purcellville and its significant lands but we feel some of the proposed changes to the regulations governing certain properties are, among other things, overreaching, overburdensome and could constitute an interference with the right to own land. Based upon my preliminary review and understanding of the proposed changes, specifically Article 14(A), Section 2.7, the proposed requirement to offer the historic resource subject to demolition should be stricken or revised based on the following reasons, the provision:

- 1) Requires a forced sale of private property which substantially interferes with landowner's rights to quietly enjoy his property;
- 2) It's not clear whether the initial determination of which properties contribute to the historical significance of the Town on which this provision requirement is based upon (the 2006 Historic Resource Survey), was consistently applied to all impacted parcels,
- 3) It's not clear whether the proposed new historic corridor boundary determination is most appropriate boundary or the most accurate;
- 4) Could negatively impact property owners of color disproportionately;
- 5) Does not guarantee new owners of structure will make repairs timely;
- 6) Does not allow landowners to make his property safe or free of unsightly structures or pest infestation or to improve his property in the most economical manner or manner of his choice;
- 7) Does not prescribe how the purchaser of a historical structure would even access the structure after the sale if the structure is surrounded completely by private property thus, "opening the

door” for additional forced use or sale of property owner’s remaining land or adjacent property owner’s land.

In sum, we feel you can attain your goal of “protecting the town’s unique historical resources and architectural character and ensuring that new development is in keeping with the small-town character of Purcellville”, as stated in your hearing notice, by managing the time, place and manner of demolition, to be specific, as opposed to including the forced sale of privately-owned and essentially sub-dividing it without adequate recourse or opportunity to refuse simply because the owner seeks to improve aesthetics of her property or even more importantly, to eliminate safety hazards and pest invasion upon her property.

Based on the foregoing, we respectfully request that (1) this Commission review how the parcels it seeks to include in the Historic Corridor and Overlay Zone were initially identified as contributors to historical significance, (2) to substantially revise the provisions in the proposed regulation that governs demolition of historical resources located within the Zone so that it does not include the forced sale of private property just to protect it, and finally; (3) the Town, through this Commission should identify adequate financial resources to help land owners, when appropriate, to repair, improve or make safe those resources and structures owners would seek to demolish.

I have had only a short time to review these documents. So if I have mischaracterized or misinterpreted the implications of the proposed changes before this Commission on this matter, please excuse.

Thank you for this opportunity to present and submit comments on this very important matter. Please include this statement and this letter into the public record on this hearing.

Respectfully submitted,

Doreen C. Hope on behalf of myself and
Darryl A. Cook, Deboarh C. Moten, and
Martin L. Cook, Jr.

PUBLIC COMMENTS - PLANNING COMMISSION MEETING JULY 15, 2015

James Tipton: In opposition to proposed expansion of the town's historic corridor overlay district. The proposed changes would impose restrictions on the use of our property which were not present when we decided to buy. When shopping for our home, we intentionally avoided properties that were subject to the town's existing historic corridor as well as home owners associations to avoid unwanted intrusions by outside parties attempting to exert influence over how we could use our private property.

The actual language in the ordinance in combination with an expansion of the historic corridor opens the door to significant negative impacts on the personal enjoyment of our property which we would have to incur significant personal expense and hardships to rectify.

The criteria you are using to determine which properties are and are not proposed for inclusion in the expanded historic district are also unclear as well as the purpose for this particular expansion.

There's no historic resource on my property that's apparent to me, and you've not produced any documentation establishing your assertion that there is one. There's no discernable aesthetic or overarching style linking the homes up and down my street that would be preserved by limiting their owners' abilities to make changes to their properties appearance.

The contributing properties indicated in the proposed historic corridor overlay zone map provided with the letter we received do not appear to correspond with the map of the historic features in the town's 2030 comprehensive plan. It's unclear why some properties are included and others are omitted from the proposed expansion. Based on the presentations tonight, I've seen nothing to demonstrate how these changes provide any actual benefit to the preservation of historic resources in town; rather I suggest it would visit hardship upon many residents.

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Marc Rossi: I'm in complete agreement with Jim Tipton's comments. I think it's important for a town to retain its charm and character. I searched all over Virginia for a place to live. I love this town. I made a concerted decision to be in this town because of the quality of life and what I thought the benefits would be. I'm all for being ultra-conscientious about properties that have value, have historical significance - but what are those? A famous architect, a particular period. If there are changes that are made, will there be an impact to me. I happen to own multiple parcels, that's another issue - it's a legacy for my daughter. I don't plan on building town houses or commercial structures but would like to have the ability to make decisions that would be in my best interest.

With things like Amazon headquarters moving to Washington DC, there will be fifty to a hundred executives that would want to look for a town like this. A lot of people will be attracted to the charm of this town who won't want to destroy it. They are very interested in gentrification and enhancements to a town like this, so it's not something we need to be scared of. If those people don't wish to come here because of the impact, it doesn't help us in the long run. And all of the things you talked about, the façades, colors, shutters, etc. - statements were made in the emails that were read about potential impact. Overreach doesn't help any of us but obviously being conscientious about our town does, so it's figuring out how we're going to do that. If there is anything that's hidden in this that comes back to negatively impact us, that's not going to be good for anyone.

It's just being very clear about the short- mid- and long-term goals are of this. If we are trying to stop big developers from doing something, that's one thing. If we're trying to stop people from destroying properties and building things that are architectural eyesores to the town, I understand that, but who is going to determine that. If we deem something to be historic, street lights, sidewalk plaqueing, all those things, do we care about that, do we not care about that, is it in name only? What does that mean?

This isn't an unbelievably historic town from an architectural perspective, there are some all over the United States that have greater architectural significance, but I think it's significant. I love the Victorians on Main Street; I love so many different things. Many of the homes in my neighborhood were built by persons who lived there; do we know all this, have we evaluated this? Those are things that are important to acknowledge but not to be regulated.

I don't want to say opposed or not opposed, but if you hinder my ability to enhance our town, or impact me negatively, from an economic standpoint, then I absolutely oppose it. If there is an economic impact, there needs to be some compensation for it.

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Doreen Hope: I'm one of the owners of 521 South 11th Street and that property has been owned by our family for almost a hundred years. The home was built by our grandfather J. Leslie Cook and his father Joe Cook and it was the birthplace of many of my aunts and my father, so needless to say, we are truly vested in the well-being of our property. Moreover, our entire family has been vested in Purcellville. Our aunt and uncle, Samuel and Josie Murray, integrated the Purcellville Public Library in the 1950s, and they also owned a very successful upholstery and drapery business on South 11th Street. But most importantly, our uncle, Basham Simms, was a public servant, serving on the town council for a number of years and ultimately as its Vice Mayor.

We thoroughly understand the need to preserve and protect the history of Purcellville and significant lands that make up this town, but we feel that some of the proposed regulations governing some of the properties are among other things, overreaching, overburdensome, and could constitute an interference with the right to own our land and to quietly enjoy living upon our land. Based on my preliminary review and understanding of the proposed changes, specifically Article 14A, Section 2.7, the proposed requirements to offer the historic structures subject to demolition should be stricken or revised based on the following reasons.

First and foremost, the proposed permitting process requires properties or structures to be demolished to go through a permitting process which includes putting the property up for sale or offering it for sale. This substantially interferes with the landowner's right to quietly enjoy his or her property. It's not clear whether the initial determination of this properties contributes to the historical significance of the town, and as we've heard from some comments beforehand, it's not clear how that process was actually done or those decisions made. It's also not clear how the new historic corridor boundary was made and whether or not it's the most appropriate boundary or the most accurate.

The proposed provisions could impact property owners of color as well as property owners who are more senior and are looking to leave behind their legacy. The proposed provision changes to not guarantee that new owners of the structure will make the repairs timely. Also, it does not allow landowners to make his or per property free of unsightly structures or pest infestation, or to improve

the property in the most economical manner of their choice. Nor does it prescribe how the purchaser of the historical structure could access the structure after the sale if the structure is surrounded completely by private property. Thus this could open the door for additional forced sales of the property owner's remaining land or adjacent property owners' land. So in other words, if the structure to be demolished is in my back yard, and it's surrounded by my yard and my adjacent neighbor's yard, if the sale of the structure is forced upon us and sold, how will the new owner get access to the structure once it's been purchased.

So in sum, we feel that you can attain your goal of protecting the town's unique historical resources and architectural character and ensuring that new development is in keeping with Purcellville's smalltown character as stated in our hearing notice about managing the time, place and manner of any demolition. To be specific, as opposed to include a forced sale of privately owned property and essentially subdividing it without the opportunity to refuse that process. More importantly, it will also not eliminate the safety hazards or pest invasion of the structure if it's in bad decay as is the case of some structures on our property that we inherited. It's already in bad decay and falling in, etc.

So based on the forgoing, we respectfully request that this Commission oppose this action or, in the alternative, that this Commission review how the parcels it seeks to include in the overlay zone were initially identified as contributors of historical significance and to substantially revise the provisions in the proposed regulations that govern the demolition of historical resources within the zone.

I've only had a short time to review all of the documents, so if I have mischaracterized or misinterpreted the implications of the proposed changes before this Commission, please excuse that error. I would also like to ask the Commission for an extension of the comment period to allow myself and others who may not have had the opportunity yet to review all of the documents that have not only been presented for public review but also the other historical documents that have led us to this point.

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Chris Levy: I want to address something you said initially where you were talking about color and texture of the houses, according to Section 2.6.b., the certificate of design approval is required as follows any historic corridor overlay zone: "in making such determination as to consistency with design guidelines, the Board of Architectural Review may specify any architectural feature as to appearance, such as, but not limited to, motif and style, color, texture and materials together with configuration", so maybe somebody can address that.

I'm against the proposal as written as it enacts strict and expensive policy on many homes that are less expensive than their neighbors', punishing lower income households for purchasing homes they can afford inside our great town. It seems that most of the newly listed only qualify based on being over 50 years old based on the eligibility in the National Register of Historic Places. Giving a blanket historic classification to homes over 50 years old with no other reason is just plain lazy. Requiring lower value homes to the historic preservation professional, who I'm sure comes at a premium, begs the question who's in y'all's pocket. Not only will it cost to modify our homes, but my insurance agent says the additional cost to repair could require additional coverage. I completely understand wanting to preserve our history along our main roadways, but if you follow Google maps to get to any known historic treasure in our area, you'll never make it down any of these roads including mine and other dead end roads. I ask this board not punish those families of lower income, I ask this board not to be lazy in their [garbled] to policy, and I ask this board to their proposed modifications to the historic zoning ordinance.

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John Yacek: I'm going to be pretty quick because everyone has pretty much said what I want to say to you guys. This gentleman basically told you the exact same story as me and my wife: we moved to this town because of the good schools, because it was a good area to live, and we bought our house with the sole intention of adding on to it later when we were building a family because we wanted to raise a family here. We have no intention of leaving this area, most of the family we have left is close to the area.

I oppose this. In addition to that, I would like some clarification because, as it's been pointed out, my understanding of the map, the blue designates areas of historical significance [i.e., the existing historical corridor overlay district], and the striped area is the existing corridor area and the blue is the actual property resources. Can any of you explain to me how you get to any of those historic resources by traveling down West F Street? You can't; it's a dead end road that runs from Nursery Avenue. It doesn't even meet the definition that you have sent us which is arterial streets and highways. Under Section 2. Applicability, an arterial roadway is defined by Virginia Code; it's determined by the town council to be either a significant route of tourist access to the town, West F Street does not give you access to the town, or a significant route access to the town's designated resources. It doesn't do that either.

The only way I'm seeing that you're getting West F Street included in this is further down in Applicability the next paragraph gives, in my opinion, the committee the ability to do whatever they want, because it says regardless of whether the streets or highways are otherwise within the zoning district classifications. So that just negates everything that was said before that. [Chair: Just because it's come up several times, the criteria for inclusion on that map is that the nation and the state, in their historic registries, have identified those resources as historically contributing resources.] I understand, so I'll again second what other people said, I don't believe that any of those house have any actual historical significance other than the definition of being other than 50 years old. There are also other properties that are on that map that are older than 50 years old that are not included. I just think that it's not a fair application of what you guys are doing and I oppose it.

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Brenda Dowdy: There are many questions. So many people before me have expressed every single feeling. I have lived all over Loudoun County for over 20 years, I've been a teacher in the County and Purcellville is where I landed to raise my family. I specifically did not want to live in a townhouse, the only houses that I could find were these houses on F Street. F Street has become a family. Many of us are here tonight; we have 13 of the 21 residents on F Street that have signed a petition saying that they would like to be taken off of this expanded historical area. I know that some of you have said you do not have the intention of being an HOA, but that's this Commission. What happens when it changes? We've [garbled] been clarified and somebody else might have a different intention.

The pictures in the binders that are on the table in the back are from 2006. Is this the structure that has to be maintained; is that what they're considering as the underlying example of what that home should be? - because that picture in 2006 already has a addition of a large section of the home that I purchased that was added in the 1990s so it is not at all a representation of the original home from the 1950s. And many of the homes on F Street have been changed. Part of the reason that I chose the home that I live in is because, as families on F Street (we are a family altogether) is to do improvements that would fit

our family and not living in an HOA. I have the space we have our yard, we want to be able to maintain that and I'm afraid that if get considered historic just because of the age of my home, that we will not be able to do that and I'll be forced out of living in the community. I drive 5 minutes to get to work, my kids go to school in Purcellville and I want us to be able to maintain that. So please take F Street off of the historic district.

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Kaylene Blaylock: We've been residents on South 12th Street for 21 years. My home is not one that is on the proposed historic corridor. Of 23 residents with homes on that street, there are 2 of us who do not meet the criteria; our homes are newer. My home is still 25 years old. One of my concerns is what will happen. What will happen in 25 years when my home is 50 years old? What about the proposed sidewalk that is be built on 12th Street? We heard earlier concerns about those new structures, are the going to be new street lamps, are there going to be new sidewalks that will meet the historical code? Are we going to get our sidewalk? Its going to change what the street looks like. When moved here, there was so little traffic we could actually allow our children play in the driveway; now so much traffic because of the new developments that have been build around us. Our street was not designed for two cars to pass; it's really a one way street. I'm concerned about how that will affect the historic process. Finally, truly how does this benefit the town. What do we stand to gain as a town from having this historic corridor built? [garbled] up and down my street but they're going to be sorely disappointed about the historic view that they're not going to see. Just bringing additional traffic to a street that cannot support that traffic, with newer homes structures have already been changed. There is no historic value there other than once upon a time it was.

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Don Nichols: I grew up in town but I do not live in town. I live north of Hillsboro but I'm going to inherit the family house in town. The house needs some work, it's going t0 need some repainting so I think I heard if I want to paint it fluorescent pink I can do that, right? I'm not going to do that, but I could. The original house was built in 1953, it was just a rectangular brick home. It's had two additions put on, one in 1961, one in 1969. What if I want to demolish one of the additions? Is that going to be allowed? There's a shed on the property that was built in the 1970s. If the property gets designated historic, can I tear that shed down? [Director of Planning: If the addition was built to one of the structures that was listed as a contributor to the historic district, then that addition would have to go through the Board of Architectural Review. If the addition was non-contributing, then I don't see why there would be any problem with the demolition. If the shed is not a contributor to the property, because it was built prior to 1957, it would not be a problem to demolish that.]

I'm here neutral; I'm not for against, I'm here to find facts out.

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Brian Ducharme: No. Just no. I oppose this wholeheartedly. I ask when you go up to the Council with this, you shoot it down. And think about the lawsuits that could be coming down the pike because of this.

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Paul Biggers: I pretty much second the comments you just heard. My house was built in 1939 or 1940. It is in no way significant; historically it was just a house that somebody built that they needed to live in before World War II. My neighbor's house on one side would need to be demolished; nobody would ever buy it. It's suitable only for one person or two people at the most. My next door neighbor Nancy Love asked me to speak for her to say she's opposed to it although her house is older; it dates from 1920 but it's just a single family house.

How did anybody decide that these houses were in any way historic? Nobody famous lived in them, there was no founding father that lived in my house.

I heard that the town is coming up with doing away with these 25' x 150' lots. My house was on four of them. We consolidated all four of them because we couldn't build on them. We were going to subdivide and made a duplex out of it but they cut that out. Then we weren't able to build a mother-in-law apartment on it because the addition on our house had to be at least 500 sq.ft. and at least 25% as large as the existing house. Our house is only 1,600 sq.ft. so we couldn't match either one of those things so we couldn't do that either. So this looks just like another way to us for the planning commission and town council to take more control over our property and what we can do with it, so I'm also against it.

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Richard Miller: I'm actually supportive of the goals of what you 'all doing; I just think there could be other means that could be explored in order to achieve what you are looking for. Can we put together some resources, can we put together some special financing opportunities to help homeowners achieve these goals? Can we have contests, craziest color door or whatever, that other towns have done to promote the residential properties. As I understand it, and I was one of the ones who actually read the document, and deciphered the fact that I don't think this is really going to hurt me.

Basically I can't tear down my house but when we bought our property 12 years ago, and I have what I'd call a contributing home; it's John Case's home and its the structure that remained from the Case farm that now most of the property is Village Case. So it's the crazy reddish-orange house, I did try to challenge to color palette when moved here.

When we moved here 12 years ago it was at the bottom of the market; we thought we were going to have to move out to Cumberland or Culpeper or somewhere out a lot further in order to purchase a home. One of the things we identified early on was we wanted to put an addition on and that when the home inspection was done, they said your porch is not that structurally sound. It's still there holding on. But that's going to have to be removed or fortified in some fashion. The theory was we'd take that off and build an addition on and then build some sort of other porch off the back of it. That will require, because there would be some demolition taking down part of that porch, that's going to require approval of the board. Hopefully we'll have good enough plans, It's not that you can't say that you can demolish something, you have to figure out if it's worthwhile. That would be my biggest concern.

I also want to know what are the current fees, and is there a different fee structure for these reviews for residential vs. commercial properties that are being assessed because I think for the homeowners, it should be as modest as possible. And now there's a 90-day period that's permitted to get back to us, or it's like a pocket veto, or it could go through by default. How long is the process currently taking?

I have concerns, quite frankly - no disrespect to any of the individual members of the commission, but the town's got a pretty bad history of managing itself. Whether it's the water system, taxes on restaurants, personnel, and so forth, and to give more power is not something that I'm particularly thrilled about, and there could be a movement to unincorporate this town at some point because of the kinds of history that we have.

I'm generally supportive of what you want to do, but maybe we need to look for different means. We talked about the comprehensive plan recommended doing this - why did they come to that conclusion? Why were the properties not included when this was set up originally?

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Rebecca Visma: I came not in favor nor opposed to the proposition. Some of the comments that people have made tonight about the arbitrary lines and what qualifies a house as historic is something that really should be taken into consideration. I don't think I have a leg to stand on with that because we live in the Dillon house that was built in 1796 with an addition in 1910. However this falls, if there's any additions I fully see us being on that - I'm surprised that we weren't when we moved in.

We bought the house 8 years ago. My husband and I are both teachers, so when it comes to trying to repair the property, it's one where we might have actually benefitted from some of the historical regulations because people have done things to that house over the years that were band aids and have created problems, and over the past 8 years we kind of pick and choose what is our priority project of the year because of finances. We intend to be here for the long haul; we have a four and seven year-old and we plan to stay here at least until they graduate.

We love our home but some of the questions that start to come up - any structure on the property, if it starts to have deterioration - the springhouse that's on the property is not necessarily in good standing and it potentially does need some repairs that we never intended to do because it's not something that influences the property. Our backyard has some water issues that we've brought to the town's attention before - at least twice - but we were told that there's no easement, there's nothing that could be done, but it continues. We've done our own band aid of digging a trench that we put tadpoles and other things into to entertain our kids but the runoff from K Street affects the water table and I don't know if the water table potentially affects the springhouse. If the springhouse does start to deteriorate, that's not something I'm confident with our teacher salaries we'll financially be able to restore historic property, so is there something in this so that if there is something we need to do to preserve the historic context of our property we could apply for? Because we've been doing our very best in our past 8 years to improve the house or continue to make it the oldest living residence in town, but some of these things do bring concerns of how is this going to put a financial burden on us when we've been doing our best as we live here. We're certainly not opposed or in favor of - I think some people here bring up some very good points.

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Carter Warley: I don't have a lot to add to what the people before me have said. We bought our house four years ago. It sat on the market 18 months vacant before we bought it. The house has small bathrooms and no walk-in closets and all the modern day amenities most people want in a house - that house does not have it. What it does have is a Civil War era barn which is wonderful and the termites

have had just a field day with it; it's got a springhouse that sounds very similar to the woman who spoke before me that has seen better days, there's a shop that was built in the 1960s, and I can go on.

These structures are wonderful and completely understand the town's desire to preserve them. The problem is there's only one person here who is actually paying to keep these things up, and it's very expensive. The only reason we bought the house was because there were no restrictions like this on the property. We were looking at a three-acre property that was ours to do what we want with full property rights; we are not members of the HOA which was already in place. But to put this in place, I have to look at I have kids going off to college in a few years, it's a lot of property and a lot of house for two people - we may want to sell the house - with a restriction in place that says if you want to tear down the old barn that's costing a fortune to keep up or the springhouse or the shop, any of these structures have to go through some sort of approval, and you can give me the details of what that is and say well, it doesn't matter.

Prospective home buyers are going to take one look at that and say no. The main house is one thing but keeping the other structures up - we are doing our part: we just put standing metal seam roofs on every structure on that property; it was not cheap. We probably be able to do another thing for five years after doing this. But this will absolutely hinder our ability to sell the house one day because people will take one look at it, they will see there is some of historic overlay restriction and no one is going to want to read through all of that. They're just going to say that barn has seen better days, that springhouse is going to be a lot to fix and maintain and I don't want permits if I want to get rid of it, so I would ask if you look at us geographically, we're not in any district, we isolated in a 20 year-old neighborhood - I would ask to be left off of this for the simple fact that we want to keep what we bought for yours ago in the same condition that it's in.

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Kim Collins: I am relatively new to Purcellville, unlike other people who have been year for years and years, but what I can tell you is that I have moved away from three towns that were overtaken by wholesale development, so I know exactly what that will do and what it looks like. I live on K Street in a quirky little house that was built by a barn builder and I am certain it can take incoming rounds. It's perfect for me; I live alone, I take care of it by myself and it's just on the edge of what I can do. So when I discovered I'm basically living on a stream that's feeding springhouses and everything else and it's causing my porch to sag and problems like this, these are things I'm intending to try to fix but I'm waiting for the day for somebody to knock on the door and say you must fix this and you must fix it my standard and you must do it within this amount of time. What am I supposed to do about that? What are the penalties and how am I going to be assessed because I've now become historic?

When I live in a little dollhouse that was built in the 1950s, the quirky charm that everybody likes, the superman-sized shower and no closet space is perfect for me but it is a tough sell. I have a shared driveway, that's an unusual thing for people who didn't grow up with one. I live on a street with ditches that'll kill you if you don't know that they're there; it should probably be a one way street. SO if we become historic, how does that affect the infrastructure - the ditches, the roads, the guttering and all that other stuff. Basically we all kind of live and let live right now, but if the town is expecting things of me to maintain a historic property, what is the town going to do for that area?

I would respectfully ask for an updated survey because I was befuddled to find that in K Street my house and my two neighbors were considered to be contributing structures but all of the other houses on K

Street aren't. And yet we're all on the same road that leads to the actual historic area, so I don't understand the criteria of how this house was picked other than perhaps it's old. All of the houses are cute, but they're not historic.

I am opposed to this expansion of the historic overlay district and until there's more clarification on the criteria of the 300 houses that were designated. I know that two doors down from me that is now on that proposed map was cut to the ground, dug out the foundation was redone and rebuilt last year so it's not even close to historic but yet it's still on that map, so there're things that need to be updated when we look at that as well.

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Susan Eidelheit: I'm a long-time resident of Loudoun County; I moved here about 17 or 18 years ago. Were the proposed new guidelines sent to the entire town or just to the people that would be affected in the new potential historic district? [Chair: Just to the people who would be affected.] Ultimately, and I don't know how other people would feel, this sets up an interesting dynamic. Everyone here has a vested interest in what might be impacted. Someone said when her house is 25 years older, it will be interesting to see what happens, I think all of the townspeople have a right to know because they might be the next ones on the chopping block. I didn't even see it in the local paper. I think it's to select and insulate to have given it to all of us. For example, I even called Loudoun County to find out the potential property tax implication; they hadn't even heard about it. I said no one from Purcellville has called to ask you about this - she said no. I don't actually think she knew about it. And with all of the inconsequential things that are in our local papers, why hasn't this been in the paper? [Director of Planning: Traditionally when you notice, you notice the people that are affected by a proposed change to an ordinance. It is published in a paper of general circulation and on the town's website for greater access to it. But typically notices are not sent directly to unaffected property owners who a change in the ordinance doesn't directly affect.] I think there is merit in considering giving it to the entire town.

There are pluses and minuses. I wouldn't say I'm on the fence about this because most people here chose to come to Purcellville or have been here for generations because some of those areas might have historic value, but for other people that wasn't part of the deal in a sense in choosing to come here. I would equate it to condo or coop associations in New York. It definitely has some pluses; they claim that your property value goes up a little but your appraisal goes up and your taxes go up. What research did you do, can you give us the articles or the economic analysis that you assessed before making the decision to even contemplate this major initiative?

If we become a historic district and it's on the National Register of Historic Places - our house is not. The only significance of our house is the people who lived there before were probably local drug dealers. That house was gutted. Before I moved here it took them a year to get rid of all the broken glass and beer cans. I looked at this thing and said it's preposterous. Yes, it's over 50 years old, is it cute now - sure. But I also speak on behalf of my neighbors, two single women, on pensions and social security who are both opposed to this. If the district is deemed national historic, is every particular house that is affected by it also given that designation? [Chair: No, there are contributing structures within a district, but in this instance what we're talking about is we took the National Register of Historic Places and Virginia Department of Historic Resources every property that they identified as contributing historically. We used that data to identify these properties.]

So Virginia being one of the states that has a historic rehabilitation tax credit program, certain renovations could qualify for rehabilitation expenses in two ways. One: you may potentially qualify for a Federal rebate, however there's lots of stipulations - right now it's mainly for places like B&Bs - it has to be generating income. For most of us, that's not the case. [Brief discussion about rebates for renovation work.] Would we qualify for a property tax reduction based on the increases in property tax that accrue from the very nature of being deemed historic? [Director of Planning: There has been research done that demonstrates that having a historic resource on contributor being within a historic district is somewhat recession proof in that when the economy drops historic resources within a district will usually hold their own or if they drop it'll be less than everything else around it. When properties appreciate, the district will usually appreciate at a greater rate than anything around it.]

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Steve Hansort: Regarding the mailing that was sent out, the map printed in black and white on 8 1/2" x 11" is super small; 11" x 17" would have been better. Second, sending out a draft mark-up version of the ordinance made it very confusing to read; a final draft without marked changes would have been better.

I love the old town charm of Purcellville and moved here two months ago. I live in an older house and I want to keep that old house charm. However, receiving this letter raised some concerns. There are things I want to do with the house. I'm a first time home buyer and I want to know what I can do. Do I have the option to opt out? I kind of lean towards opposing, nothing has shown me that I can be thumbs up about it. [Chair: This has come up quite a bit and my understanding is that the idea that we just wouldn't do it is much more reasonable than the idea that people would have to option to opt out.][A discussion with the Town Attorney about opting out followed.]

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Casey Chapman: I am opposed to the historic corridor overlay district. I own 141, 151 and 161 North Hatcher Avenue. If there is an option to opt out, I'd love to take that option. I don't want to be in this district. The point of why weren't these contributing buildings or assets or properties put into place at the same time as round one, I'll call it, when the other contributing structures were added. You sometimes go into the Comprehensive Plan but that's changed over the years. Was this map that's behind you in the Comprehensive Plan in 2006? [Chair: There was a different Comprehensive Plan in 2006.] So in the new Comprehensive Plan, was this map in it with these contributing structures? [Chair: The map was not in there; the desire that we read to include all historically contributing structures to help preserve the character and feel of the town, that's what was in there.]

The general consensus of the idea of contributing structures or the character and feel of the town. I heard a lot of people talk about charm and uniqueness and all those great things, all those things occurred without having a historic corridor overlay district imposed on them. They occurred naturally, organically by creativity, by individuals, by business owners. That is what made Purcellville what it is, it wasn't a board, it wasn't a commission, it wasn't a committee, it was individuals using their personal property rights and their imaginations to do what they dreamed and build what is the American dream in a great place like the town of Purcellville. To try to control something like that or impose regulations that there are clearly a large number of people opposed to, I would say why keep going? Why do it? What is the benefit, what are you gaining out of this? What is the town gaining out of this? [Chair: The Comprehensive Plan is the document that encapsulates the values of the town. We have a new

Comprehensive Plan. This is a value that is described in it, and the duty and the job of the planning commission is to try to realize the values in the Comprehensive Plan through zoning and regulation.]

Understood. And has any third party come in to assist you in the creation of this map and in forming this district? I haven't heard or seen any consultants being referred to so far that put any significant input into how this may affect the tax on someone's personal residence, or how this is going to affect the inheritance of a property when it's handed down to someone's daughter. The things that this impacts go much further than just shutters and paint; these are huge economical impacts that you are taking the liberties which I don't believe are yours to take or impose on the residents or businesses of this town.

I agree with the majority of the statements made tonight by the residents in this beloved town and I again say that I am not for this district.

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Carol Luke: I come from a different point of view. I used to work in the Tysons area, in Arlington and I saw many areas that were charming and lovely that had gotten into the shadow of pother buildings because there was limitation on what could be built in those neighborhoods. I don't think we need to have regulations of everything that's dome, but I think we have something special in Purcellville. It is a funny little town and that's Purcellville. It has a personality of its own. It isn't Waterford, it isn't Middleburg; it's like a cow town. This was a trade center and I think its wonderful. Once we start changing and just allowing random things to happen, it's gone. It will change it. It won't change one; it'll end up changing all of them. I've seen buildings built that put the whole surrounding in shadows - the sun never shined. Because there were no restrictions on this.

I don't think we need to do that. I like old houses. I bought my old house because it was more charming than the new house I bought; when I had the opportunity, I moved. I had a house in Aldie that was an 1803, I had a house in Alexandria that was an old Sears Roebuck 1920. They have a personality that I think is worth preserving. Is it worth isolating - and it can be isolated in a sea of modern - then it loses all of its attraction. There are things that are here that are of value and that we have an opportunity to preserve, and if we don't preserve it now, it won't be there.

If I do something in town that totally changes my building, and I have two, don't think that it doesn't affect my neighbors, because it does. Whether or not it complies with the regulations it will change my neighbors' houses. I don't think that's particularly fair to them. My little house is made of the last stone taken from a quarry that was in Hamilton - it's the same stone as the library. It's just these unique things that make Purcellville. Personally, I think it's worth working on, I think there are things here that should be preserved. If there are not, why don't we just go live in Ashburn? Why did we move here? We moved here because we liked this little funky town. I moved here to raise my last child; I like the schools here. There are things of real value that we have, even if saving some old buildings is part of it, I think its part of our heritage here and I think we owe it to the town.

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Susan Eidelheit: She said before we go thinking about a historic district, with the laws that hopefully are in place - we have a turkey a few houses away, chickens that are running at a house that's a little on the derelict side - nobody's regulating that. We have bamboo growing and Nancy said people to follow the ordinances that are there now as opposed to neighbors having to call to push the town to act, and that

would add to the historic nature of the region as well. That certain things are not being followed now - that would help.

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Leo Belvis: The house that we purchased has a massive garden that used to be owned by a botanist, and my wife and I moved here in 2017 with the hopes of raising a family. We have three kids under five and its a handful, but we choose to maintain the house and beautify it and update it to match existing decor. It's a house built in 1950. We're doing that in spite of any kind of outside influence. My wife is a better kind of police accountability person than any council law would ever make. I don't see any incentive for me to follow through with accepting this proposal. I'm doing this already out of my own volition with my own money. Prices of building materials are not getting any cheaper and in spite of that I'm still hosing to update my house, beautify it, make sure that my neighbors aren't likely to lose their minds over my massive gardens, and so there's really no incentive for me to be part of this district if I'm already doing it to begin with and I personally don't need any prompt to take care of my house.

I don't support or opt in to this district. Like Casey said, this is the American dream - I came to Purcellville because it was like a frontier. If left alone, I can maintain my house, take care of my family and that's what we came here for. I'd hate to leave because of any kind of outside intrusion because property values right now are insanely high and we don't need any more help to increase the property values and so I would hate to have to leave because I can't maintain a standard that is outside of my means, and so it doesn't really help me if I'm trying to work inside a budget.

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Larry Simms: I totally support what Mrs. Duke had to say a few minutes ago. I lived at my address since 1970. And I really, really dislike people that have lived here a minute to come in and tell Purcellville residents how we should live. I've raised two kids, gone on to college, come back, left again, but I totally support what you guys are trying to do to keep this small town atmosphere. And I do not like the fact that things are changing as quickly as they are, and it is because you have outside people coming in and trying to change this small town.

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Elizabeth Dyer: My husband and I bought out house a little over three years ago. It was built in 1904. We are not in the historic district which was a great disappointment to us when we bought our house. We believe that our house is special and we believe our street is special and that the town is special, and it is something to preserve. I think the biggest things that are being missed here are not necessarily whether you should be told to take care of your property, because obviously you should take care of your house - where you live and where you should take great pride, but I don't want my neighbors to maybe not take care of that house and maybe someone buys that house and is able to demolish it and build townhouses or something that's not fitting for my street.

Behind us some parcels of land were sold, we have two parcels of land we have no intention of selling out back yard, but we could. Someone behind us sold their parcels of land and fit three monstrosities on it, as I recall. It does not fit in with the neighborhood, they are very close together, the noise from the families is terrible and we're just scared that this is just going to keep happening and it's going to push out the rest of us who want the small town character and wanted that feel. I dream of my kids walking

to school in every direction, that's special, but when you demolish the houses around you and have way more population coming in, they may not feel safe doing that. Already since we've lived here, the traffic has gone up exponentially. We're not trying to discourage people from moving here, that's not the point. The point is just preserving what we have, making sure the houses that are special but maybe not of historical value ... may to those points some people have said my house has no historical value, maybe they just don't know, but I don't want my neighbor's house to be demolished and have three houses put on it. That's my point and my biggest concern, so I do support the historical overlay.

COMMISSIONER COMMENTS - PLANNING COMMISSION MEETING JULY 15, 2015

[Commissioner Bennett:] I think at this time I just want to make a couple of comments. Thank you, really, all for coming because you are the town. This is the character that we want to preserve - people showing up - because I know from what you've said that you didn't move to Tysons, you didn't move to Herndon, you didn't even move to Leesburg - you moved here. And you take care of your homes - you're homeowners just like us. There are two commissioners on this dais tonight that are already in the overlay, and should this ordinance pass, two more will be. We're just like you. We care about our homes and we care about this town. That's the character, and I love it. I can't remember who - a barn guy built our house; we just had someone else call it a cow town. So yes, it's not Old Town Alexandria but we're who we are and that's pretty darn special.

It's a travesty that there was so much misunderstanding due to this letter. It was difficult to read. But there are no restrictions for homeowners except if you want to implode your home -and then you would be asked to come and have a public hearing like this so your neighbors, because we don't live in isolation, we live in a community, so your neighbors can come and say gee, that kind of smarts.

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[Commissioner Forbes:] I live on West Main Street so I have been in an historic corridor for a long, long time. Frankly, this proposed ordinance which toyed expand that district would not make any difference unless I wanted to tear my house down and frankly, you'd have to bind and gag me and knock me over the head with a big stick before that's going to happen. I live in my grandmother's house and I've got my children coming up and my mother and her brothers grew up there and my grandmother gardened it for years. I love my house. I know how you all feel about your houses. And I think that's one of the themes that I've observed as I listened to everybody who talked here, whether you're neutral or I don't want this or yes please let's do this. The theme that I'm hearing is that people are here because they really like Purcellville, they like the way it looks, they like the way it feels, it's small town, and I'm not hearing anybody say they don't want that.

And so to start with, it seems like we've all got a lot in common, the question is how do we get to that end result and are we doing it the right way? You know, what's the best way to accomplish that? How do we keep the smalltown that we have?

One of the concerns that I think the Town Council had when they passed the comprehensive plan that we are attempting to address with this proposed with this change in the ordinance is how do we keep smalltown Purcellville small town? The biggest concern is that there's absolutely nothing at this point to prevent somebody from tearing a house down. That if you have a house and you decide you want to put up a McMansion or a bigger house, that you could just tear it down - you have to get a demolition permit but you can tear it down. When it has become known that there are some folks that plan to tear down property in town, and I think we all know that there are some properties that are on the line and can go down in a month or two, people are outraged; How can you do this? How can you let this happen? Why is that permitted? Well, because there isn't anything to prevent it.

So the point of this is to try to figure out whether or not to create at least a hurdle. Doesn't meant that it cant be done but is there a way to create a hurdle to create a procedure that would require that there

would be some sort of review before somebody could knock down your house. That's it. That's what this proposal essential is.

Another piece of it is demolition by neglect. I am reminded about a case that I observed going through the courts in Loudoun County ten years ago, it was a property in Waterford - and I'm not comparing Purcellville to Waterford - they have all kinds of rules and regulations. But the issue in Waterford was that someone wanted to tear down a historic building and they weren't permitted to do it and basically they just let it fall apart. The roof fell apart, the rain came in and after a number of years it was absolutely a trash heap and it ended up being torn down.

So to the extent that there is something in the proposed ordinance that suggests somebody must maintain their property, the idea is let's not have someone be able to do an end run against the concept of just tearing it down, but to maintain some minimal level of maintenance so it does not become a hazard and you can't just get your teardown because you ignore it completely.

The ordinance is written, as I understand it, does not control in any way what you can do with your house - inside, outside, additions, paint colors, roofs, you name it, you can do what you want to with it. That's why when somebody said he wanted to paint his house hot pink, he can paint it hot pink he can paint it hot pink, put purple polka dots on it, put glitter all over it, fly flags from it - nobody cares. That's not what this ordinance says; there's absolutely nothing in it that says you can't do that.

So when I've listened to people speak I've been picking up the threads - where is the concern. I've heard some folks say just don't tell me what to do about anything - just don't tell me what to do, it's mine I want to do what I want period. End of discussion. I've heard other people say I'm worried because I may want to remodel or I may want to pull down an addition or I may want to put on an addition, I want you to tell me what to do. But this isn't doing that. Other people expressed concerns about maintenance; to what extent or what are the criteria with regard to maintenance. I think that is a very good question; I think that's something I would like to explore a little bit more and figure out if there's some criteria - what is minimal maintenance so that it doesn't fall into a trash heap.

I haven't heard anybody talk about how they want this town to explode into bigger buildings or McMansions or townhouses. All of you who have spoken really like where you live, you like your neighborhoods, it sounds like you like your friends and your neighbors, that's why we're here and that's what the effort is - to try to maintain. And another piece of this is to the extent that there is an intent to create a desire to try to create a hurdle to a teardown - actually the way this ordinance is written, it doesn't prevent a teardown - it creates a process by which folks have to come in and have a review to determine if a teardown is the best approach and to try to figure out if there is another way to go about it before you are permitted to tear it down. At the end of the day, it doesn't say you will not be ultimately be granted permission to tear it down, but it does require that other steps be taken so that the teardown is not the first thing that somebody can do. And that's all this is about, it's a let's really slow down and look at demolition before we demolish. It doesn't have anything to do with paint colors or additions or roofs or interior changes or anything else you want to do.

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[Commissioner Kowalski:] I think Nan summed up pretty well our reasons for doing this. There are lots of questions that we will look into and I'm sure there will be a lot of rewriting. You've given us a lot to think about and other possible solutions, and we're going to go back and look at those. This is not going to be

a rammed through process; it's going to be a month or more while we review this and research it and staff looks at it and we start restructuring, because our job here is to be responsive to you. One thing I would add is most of you came here and you didn't like what you read and maybe now that you've gotten our intent behind it, maybe you understand more why we're doing it even if you don't like the process.

Our emails are all on the town website, the planning commission, the town council. I'm ex-military and was always told don't brag unless you come up with a solution, so I'm challenging you: Send us a solution for this, what you said was a very good one, but take a look at the intent of why we are doing this, take a look at what we're trying to preserve, take a look at in spite of us not communicating it well I guess was not to which was to be an HOA, and tell us how to make it better. We're open to that. As you've seen every email gets read into the record, we all listen to we all get them into our town email boxes and read them before the meetings - it's our homework that we are required to do, so help us be part of the solution. And I'm not promising you we're going to come up with a solution that everyone likes, but we'll do our best to be responsive for what we think is the good of the town and the good of the town is based on what's communicated to us by you as well as us living here too.

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[Council Member Milan:] I want to echo what Nan said. I listened to everyone speak and the reason I asked Mr. Tipton why he moved here was I wanted to hear the real reason, and I have heard it through everyone who spoke: small town character and the freedom to do what I want to do. And you may not be aware that we are rewriting the ordinances to reflect what the comprehensive plan stated. For years, prior to my being on the council and planning commission, a lot of development in the town was haphazard. As you mentioned, the street you live on should be a one way street but it's not. Tearing down a house and then building three houses small houses on the property. Through the ordinances were trying to control that and manage that to where it's more livable. There are a lot of streets in town that were haphazardly developed, you can't go down there with two cars, the drainage is terrible, there's no plumbing for the older homes to alleviate the drainage issues they have - we're trying to correct that through the ordinances. It can't be done overnight. There are a couple of people on the town council who are opposed to everything that the planning commission does. They approved the comprehensive plan but yet they try to negate what we're trying to accomplish in the comprehensive plan so I don't understand that. It's like the left hand cutting off the right hand. You approve it but you try to slow it down and deny it. We're forging through systematically and methodically to get it in line with the comprehensive plan and with what the citizens want. We are not trying to shove anything down your throat, do anything subversively to sneak some policies in.

I understand that many people want to transfer their property to their children down the line; your house is 25 years old, what's going to happen to your house 25 years from now? I don't know. Every five years we review the comprehensive plan, so things may change depending on the nature of the town the makeup of the people, and the majority of the people I heard today have lived in town less than five years; there are some who have been here longer, and some who are brand new. So the atmosphere and attitude you had with you when you came here, you don't want to see that here. The issues with people trying to build a four-story apartment building on Hatcher Avenue, and you're thinking Hatcher is a two way street. Forty apartments dumping cars onto Hatcher. There's two cars at least for each apartment, that's 80 cars coming onto Hatcher and at 4 o'clock traffic is backed up all the way to the veterinary hospital. It doesn't fit, it deters from the smalltown character that we have here. We're trying to manage that to make it livable. Traffic is a problem. There's a rush hour in Purcellville - can you

believe that? From Main Street all the way to Giant traffic is backed up from 4 o'clock there and I'm thinking when I came here 11 years ago, there was just a yellow oscillating light at Hatcher and Main. Now we have a traffic light there and we have a traffic jam. Firetrucks can't get to Main Street off of Hatcher, they have to come down Maple. There are a lot of considerations we have to think about for the health, safety and welfare of the town and we try to preserve the historical value of it which will impact the economic development in town and we're all thinking about that. It's like a puzzle; as you're building your jinka, your structure, if you move one thing off it may stay there, if you move another thing off it may fall. We're trying to build that do it's stable for everyone in town.

We have a lot to think about, a lot to rework and a lot to rewrite. So a lot of people want to opt out. Do you like paying your taxes? You can't opt out of that - it's the law. The same thing with an ordinance - it's a law. You may be able to opt out of the registry, which is done by a third party - the state and the Federal government, but the ordinance is the law. I don't like paying my taxes, but let me not pay them and I won't be up here talking to you. It won't happen. I don't like the speed limit on the toll road, I'm paying money to ride the toll road, but I can't go 100 mph like I'd like to. So that's what we're working with. Just give us time to work through these things. We have the whole ordinance to rewrite. That's a lot of things we have to consider. We have to consider what happened in the pandemic for businesses, they're allowed to have outdoor dining which is not in the ordinance so now we have to accommodate that just in case we have to go through this again. We don't want to reinvent the wheel. It's going to take time. I appreciate your comments. There are a lot of obstacles we have to go through. The freedom of doing what you want is paramount in America. I live under an HOA which I don't like but it keeps the housing values stable in my neighborhood. We're trying to keep the historical value of Purcellville stable. What happened with the Harris Teeter development? - there was the barn that was not supposed to be destroyed but they went and did it anyway, so there was a big stink about that. So they renovated that barn with a replica of it, but not the true structure of the barn with the silo. They were not supposed to tear that barn down; the developers didn't listen to what the council said, some citizens got wind of it and we came there and stopped it at two-thirds of destruction; they had to replicate it because it was in the contract to rebuild it. That's what we're trying to do - preserve the small town character and why people move here and why people want to stay here and maintain the stability of our economic development and your property values. I don't want to lose any more property value that I had when I first moved here. I don't want to go through 2006, 2007 and 2008 again.

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[Vice Chair Neham:] I am in agreement with what all the other commissioners have said so far, that we all really want small town Purcellville. And it's not really a small town but also relative quaint. And if you like and want to keep Purcellville the way it is we should act to do that and not act to get Reston. And if you don't want Reston, how do we prevent it? So one of the things we are trying to do is be Purcellville and not Reston and one of the things we're aiming for in the one ordinance change is just, and only just, to discourage demolition of older houses that make up Purcellville's quaintness, and there's nothing else in the ordinance about controlling anything. As somebody said earlier, if you're painting your house a shocking pink you'd be hearing from your neighbors probably before you hear it from the town.

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[Commissioner Paciulli:] During the talk this evening, I took notes on about 21 speakers. I'm going to re-read this, I've got to take all this in. I want to process what you've said and what the commissioners said.

On page 18 of 32 in the staff report, there's a section that I was a little bit, I was more of your thinking until I read this area under Historic Properties in Single-Family, Detached, Residential Use: "structures ... will continue to be exempted from obtaining a Certificate of Design Approval from the Board of Architectural Review for any interior or exterior construction or alternations (i.e., additions, repainting, new roof, windows, doors etc.) made to these buildings and structures. It would be just as if they continued to be located outside the Historic Corridor and Overlay District. This provision is provided under Section 2.5 (Exemptions) of Article 14A that regulates the overlay district. [This] ... will still require a building permit from the County and the issuance of an over-the-counter zoning permit to verify compliance with building setbacks and" different construction details that the town monitors.

Those kinds of words made me feel like the process was going to be more normal than what I was hearing or concerned with when this was proposed. I haven't processed everything you all have said and these details and what other folks on the commission have to say about this, but I am less concerned now about being able to have this be more productively effective for everybody than no. But the jury is out on that detail until we go through some really lengthy discussions.

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[Chair Ogleman:] I agree with what all of the other planning commissioners have said and I just want to touch a couple of the questions. The way this ordinance - this is just a modification of the ordinance that already exists. I live under this historic corridor overlay district and I very much like living under it. I consider the historic corridor overlay district to have saved my house from the impact of demolition that was done across the street because the developer was not allowed to blast at a level that would have been most efficient for them but would have damaged my house. Being in this district protected my house from that. We just put a brand new roof on it so I can attest that nobody asked me - was I supposed to ask someone before I did that, but I didn't, I just put the roof on. I see benefit to this.

I like living in the town and I get great pleasure walking around the town and seeing your houses and being in this quaint town.

The way the ordinance is written now, there are all of these restrictions and then there's an exemption. That exemption says basically for single family dwellings, other than for demolition and some of those maintenance things, none of what's in the rest of that ordinance applies to you. That's under Section 2.5 Exemptions, and specifically I'm speaking to "a." which has a couple of different parts because it's been adjusted but that's where it says all of these things we've put in here - they do not apply to your single family dwelling other than for demolition. Page 18 of 32 in the staff report and in the red-line text it's on page 21 of 32 on the bottom right-hand portion. That's how it's trying to protect this. For commercial properties in fact for all properties other than residential and agricultural, I think, the architectural control overlay district already regulates what can - a commercial property has to go before the board of architectural review to do even minimal design changes, but that's not we're proposing, that's in the ordinance as it exists.

So for the folks living on F Street, the reason it got registered is because as a whole, as an entire development, it represented a specific era in architecture that the people who went around deemed to historically contributing. Once again, in that context, because of this exemption, there is nothing as far as extending, building out, doing all of those things other than tearing it down that you would have to interface with the town government on. You might go to get permits from the county or something like that, but if you're going to change your roof, paint your house, put an extension on it, remodel the

inside, any of these things under what we're talking about. I've been looking at this for a long time so I can pick these things out of it, but it is a complicated hard to read document and I respect all of the anguish that has called and we apologize for that, but we are just trying to have this conversation that we are having right now based on this idea.

Going back to Maple Avenue, I very much appreciate what was said about, and this is always the case with government, it is a balance between overreach and conscientiousness. If everybody was just conscientious all the time, there would be no need for regulations, laws and rules, but we seem to need and feel - we live in a community so we don't get to do everything; we are not entirely free, we try to balance out and have the person freedoms we have with the value we get from being neighbors and friends in a community. That's why we're talking about these rules.

I really like the idea about talking about solutions, and we're eager to hear solutions. We've articulated what the comprehensive plan which is also based on citizen input, what that says we want to do as a town and we are just trying to operationalize that in ordinances. So if you have ideas and thoughts about this, keep engaged, keep in touch with us and help us find a solution. We are not trying to present additional problems for you in your lives. And I think all of the information about the cost and financial burdens from all this, I have not thought about that more than just as a homeowner in my own context. That's place where if people have solutions I'd love to hear about it because I don't have any right off the top of my head, but we certainly are trying to look for ways not to burden citizens with this. We're trying to do whatever we can to have a time out before having structures demolished with the lightest possible touch.

OPEN DISCUSSION - PLANNING COMMISSION MEETING JULY 15, 2015

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FOLLOW-UP EMAILS - PLANNING COMMISSION MEETING JULY 15, 2015

From: Doreen Hope <doreenhope@hotmail.com>
Sent: Friday, July 16, 2021 4:35 PM
To: Planning Commission
Subject: Public Hearing on Zoning Code Text Amendment 221-05

Commissioners:

Thank you for your time, attention and demeanor last night. It made well for a productive hearing and town hall.

To be part of the solution, I will provide you some proposed language to help with some of the issues contained in my comments.

And again, many thanks to your helpful staff, particularly, Ms. Hays, Ms. Bandy, Mr. Dooley and Ms. Hankins.

Thank you,
Doreen Cook Hope
Co-Owner
521 S. 11th Street
Purcellville, VA

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From: Beth Visna <bethvisna@gmail.com>
Sent: Saturday, July 17, 2021 9:34 AM
To: Planning Commission
Subject: Follow up from Thursday's meeting

Hello Planning Commission-

This is Beth Visna, resident at 241 W. J St. I attended the meeting Thursday night and felt a need to follow up.

I very much respect the intentions of the planning commission. I believe if you shared some of your thoughts at the beginning of the meeting, you may have avoided some of the redundant public comments of people's concerns that "the government is going to tell us what to do". I think many of the individuals pushing hard against this ordinance are the same people who oppose the development of an apartment building in the place of three historical homes.

I applaud your composure as some of the public comments were frustrating and long winded. While I realize at times I spoke out of turn, I hope I never interrupted or spoke in a way that was offensive to the commission. I believe you conveyed compassion and made it clear that you heard residents' concerns and truly plan to take them into consideration.

I hope you will take my recommendation into consideration. I believe by creating an ordinance that applies to the whole town it will be more equitable and prevent many from becoming defensive. I also believe it can prevent some of the problems that were brought up for instance, an individual buying one property and building three houses or a high rise.

I assume you have some limitations in how ambiguous you need to make your remarks, but I am not sure some of my fellow town's people were aware that the very person they applauded for his statements is one of the individuals with intentions of altering the "small town charm". If there is a way to communicate to residents that the only way to prevent the Chapmans' plan from coming to fruition is an ordinance like the one being proposed.

I do still have some questions about what the inclusion of our home in the historic overlay may mean for us as property owners. For instance, we have concerns that in the next 20+ years our spring house has the potential to deteriorate due to age and high water table and water runoff from W. K St and a sump pump. I would appreciate the opportunity to speak to someone about what we may be held accountable for in maintaining a non-inhabitable structure. I plan to reach out to Mr. Dooley with some further questions.

I hope you heard that there is some support and more once people felt heard and at ease. I hope you're able to act quickly enough to prevent some irreversible changes that so many oppose.

Respectfully,

Beth Visna

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**REMARKS EMAILS SENT AND COMMENTS MADE AT THE PURCELLVILLE
PLANNING COMMISSION PUBLIC HEARING AND TOWN HALL
THURSDAY, NOVEMBER 18, 2021**

Planning Commission response.

From: DEUK YEON <deukyeon@comcast.net>
Sent: Friday, November 12, 2021 12:20 PM
To: Dooley, Don <doooley@purcellvilleva.gov>
Cc: Deuk Yeon <rainbowyeon@hotmail.com>
Subject: Objection to HPOZ Ordinance & Regulations:

140 S. 20th St. Mr. Dooley,

I read many owners of HPOZ-affected area complained or objected HPOZ. Did the Town Planning Commission receive enough votes or agreements to hold 11/18/21 hearing again? Please send us this data if the data justified legal rights to move on with HPOZ. **The Planning Commission agreed unanimously to hold the public hearing, In fact, a public hearing is required to move this item forward.**

We oppose HPOZ again because it takes our time, efforts, likely legal expenses while it eliminates our rights and needs against our flexibility for moving, remodeling, upgrading, repairing, and selling my property at 140 S. 20th St. **There is clearly a misunderstanding on Ms. Yeon's part as to what the HPOZ's reach and limits are. This might be cleared up with an in- person conversation.**

Please delete my property from this HPOZ asap.

Also, please count our objections in your and Town Planning

Commission's decision making. Thank you for your cooperation.

Regards,

Deuk and Kyong Yeon for Rainbow Realty & Investment, Inc.

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Historic Preservation Overlay
Beverly Macdonald
<bevmacdonald99@aol.com>
Yesterday, 8:23 AM

Planning Commission

Good Morning, Please accept this as my comments for the Public Hearing tonight on the Historic Preservation Overlay Zone.

I am not in favor of Purcellville moving forward with the Historic Preservation Overlay Zone. While my home is not currently in this new zone I anticipate it may be in the future.

Thru out the Planning Commission discussions Commissioners constantly refer to taking “baby- steps” when adopting this ordinance. It is well understood that this ordinance does little in protecting the “contributing” features of a home deemed historic. Therefore additional modifications will need to be added in the future. “Baby steps” will allow the Planning Commission to gain Public approval to just start this process. **The HPOZ is intended to preserve most of what makes up the visual aspects of Purcellville’s small-town character; i.e., a collection of houses. It specifically does not address the individual features of the properties.**

The truly historic and iconic properties in Purcellville are already protected thru a current ordinance. **Only 28% of the properties that comprise Purcellville’s Historic Overlay District are protected through any ordinance (i.e., the HCOD).** This new layer of regulation may mean the difference in a Purcellville family being able to replace a home that is simple old (Pullen House) with a handicap accessible home, as in our families case, Those decisions are best left with the property owner. **The BAR would most likely become involved in such a case and they would most likely work with the home owner to arrive at a mutually-acceptable solution.**

For these reasons and more I do not agree with Purcellville adopting the Historic Preservation Overlay Zone.

Thank you,

Beverly

Chiasson
110 North 28th Street
Purcellville, VA. 20132

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Randy Broaddus
<broadview2105@gmail.com>
Yesterday, 11:24 AM
Planning Commission

Good morning,

We are the owners of the property at 150 S. 20th St. Purcellville VA.

In reference to being included in the proposed historic preservation overlay zone, we strongly oppose being included.

Loss of property value, unneeded regulation, and increased government oversight are some, but not all, of the numerous reasons. **Generally, there is a gain rather than a loss of property values for historic properties.**

It is not a "zone" if individual property owners have been removed from that "zone". **The word “zone” has many definitions. In a germane example, the “Introduction to Non-Contiguous Clustering: A Guide for New Jersey Municipalities” (Ben Spinelli, August 2017) includes recent amendments to the New Jersey Municipal Land Use Law allowing for the expansion of non- contiguous clustering as a planning tool. Non-contiguous clustering is a variation on the land use concept of cluster development. It allows a municipality to extend this concept to multiple tracts of land. As the name describes, the properties need not be contiguous and they need not be in common ownership. It is targeted at individual property owners. The HPOZ is targeted, but at protecting a “community” of houses, rather than at particular individuals. We request that our property be removed from the proposed historic preservation overlay zone. As previously explained, we cannot delete a qualifying property from the HPOZ.**

Regards,

The Owners of 150 S. 20th St. Purcellville VA.

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From: Doreen C. Hope, 521 S 11TH STREET

Dear Commissioners

On behalf of the owners of 521 South 111th Street, the following are our comments on the revised proposed changes to Articles 14B and 14C.

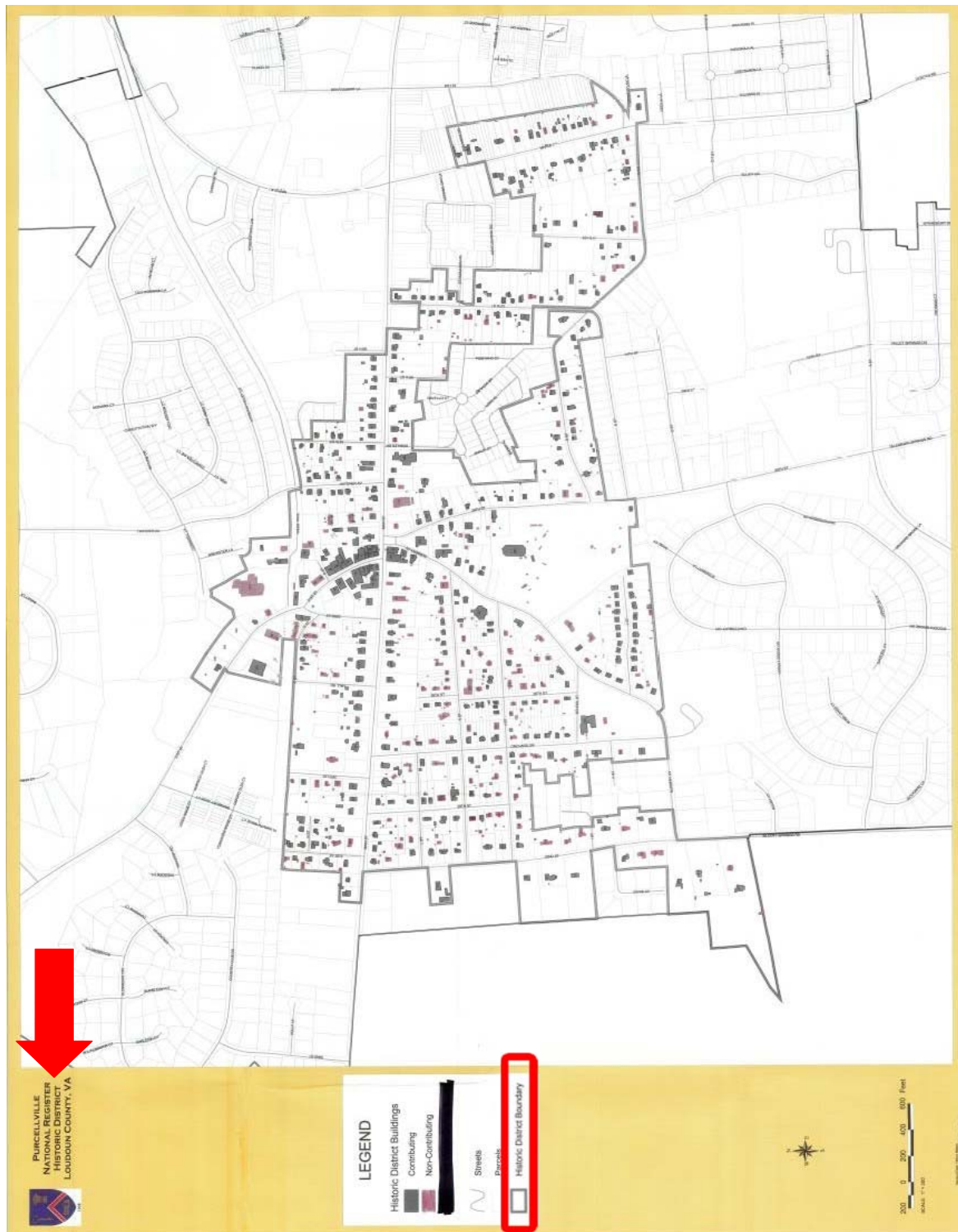
1. While the cover letter from Mr. Don Dooley dated Nov. 8th, 2021 transmitting the proposed changes states the revised draft articles exclude ancillary structures like a shed from requiring Town consent prior to demolition. However Article 14B fails to provide a definition of ancillary structure. There are many ancillary structures other than a shed that exist on affected properties that fall into disrepair and require demolition.
2. Article 14B seeks to protect the Town's historic resources from demolition, but if the entire parcel of land is listed as a historic resource, then it is imperative that an ancillary structure be clearly defined to properly include unintended structures from the Article 14B demolition process.
3. Article 14B references Article 14 C which references the National Register Bulletin 15. However, the definition set forth in Article 14B Section 3 failed to define categories of historic properties according to the National Register Bulletin 15 and it seeks to limit the definitions more than what is defined by the Federally-issued National Register Bulletin 15.
4. Moreover, Article 14B section 2 pertaining to the applicability of the article should specifically state that it is not applicable to ancillary structures.
5. Regarding Article 14C the article itself is not identified as a draft document and the formatting is incorrect, for example 14.C. Not being labeled properly misleads the public as it appears to be a provision already enacted versus being a mere draft.
6. Further, the process as outlined in Article 14C is fallible in that Section 6 as drafted appears to require the land owner sell the historic resource, the building structure or object, but allows the land owner to keep the underlying land. If this interpretation is correct, then the provision does not meet the Town's goal of protecting historic structures and does not allow a way for the purchaser of the historic structure to actually get to the structure without crossing land that he or she does not own or have legal rights to access.

7. It is unclear what the proposed time frames and sale limitations for sale offerings are based on. **VA Code § 15.2-2306.A.3** Therefore they are arbitrary and capricious and would not sustain legal challenges. Other areas of concern include:
- a. These documents are not in a format, for example redline, to clearly delineate what was existing, wording and Articles and what is proposed to be changed, again thereby misleading the public;
 - b. At some point since the last hearing **which was not noticed to the public properly**, documents for review and the status of this matter was not maintained on the Town's website as was told to the public during the July 15, 2021 hearing on the historic district overlay project;
 - c. The public, especially those whose properties are impacted by this HPOZ, has not been informed as to the benefits of being placed in the HPOZ other than the Town's intent to protect certain structures historical in nature from being demolished;
 - d. Since the properties identified in the HPOZ **are not included** in the Town's designated Historical District **Not true – all of the properties identified in the HPOZ are listed as contributing to a recognized historic district or are individually listed by the Commonwealth of Virginia of the United States.** property owners in the HPOZ should be able to opt in the HPOZ versus being forced into it by the Town. Subsequent purchasers know when they have bought into a historic district and the limitations and benefits are widely known throughout. However, recent property purchasers may not know they have bought into an HPOZ which deprives them of knowing how his or her property can be used. As such, if this provision does pass, it should not be enacted until at least five years.

In sum, the draft Articles 14B and 14C should be rejected as they would not sustain legal challenge, they are arbitrary and capricious, overburdensome on land owners, they are based on subjective and arbitrary processes, and the HPOZ list and map are based on erroneous data. As such, these draft articles thereby substantially deprive certain property owners adequate due process.

Thank you for this opportunity to present and submit comments on this very important matter. Please include this letter in the public record on this hearing.

Respectfully submitted. Doreen C. Hope



From: Ami Neiberger [mailto:ami@steppingstonellc.com]
Sent: Thursday, November 18, 2021 8:37 PM
To: Bandy, Kimberly <kbandy@purcellvilleva.gov>
Cc: dhayes@purcellvilleva.gov
Subject: Historic Overlay Zone -

Public Comment Dear Ms. Bandy,

I own the 101-year-old house located at 600 South Maple Avenue in Purcellville known as the Case family farmhouse, which was used to create boundaries when the town was formed. I can understand the stated desire of the town to prevent the demolition of historic structures, as if my home were sold and someone purchased it – they could knock down the house and put a number of homes on the lot. That would irreparably alter the neighborhood. I can understand that because if my home were demolished – it would impact the historic character of the town in some way, albeit perhaps a small one. I can understand needing a process to discuss and permit demolition of historic buildings.

I am concerned about the potential arbitrariness of the application of the language around demolition by neglect in the proposed ordinance. **The demolition by neglect provision about which she is speaking is in the existing ordinance and not part of the amendment.**

I am doing a lot of repair work on my home right now and I wonder – if this were passed would I get a letter from the town about a bad beam on my back porch or damaged brick on my chimney? I have recently made thousands of dollars in repairs and still have more to go. Would the demolition by neglect provisions in this ordinance be used to essentially force homeowners to abide by rules one might more commonly find in a homeowners association? I think this is a valid question for homeowners with properties affected by this historic overlay district to ask. As a homeowner, I am very dedicated to my property but I also feel that I should be able to prioritize my updates based on what I want to do and can afford to do as a homeowner, not because the town has arbitrarily decided to question how something on my property looks and call it demolition by neglect, even though I have no intention of demolition.

I have a master's degree in history from the University of Florida and in looking at how other localities approach historic districts, I think a positive approach that supports historic preservation would help. The town could use education, community recognition, education about tax incentives or loans for preservation, and other methods to incentivize homeowners to maintain their properties. **Agreed, but in the crawl, stand, walk, run progression to success, we are just in the crawl stage, and the education, etc. steps are probably in the walk stage - and other "tools" such as incentives would come later.**

There are many historic structures in nearby Winchester (<https://www.winchesterva.gov/planning/historic-district-design-guidelines>) and a large historic district, and in that case, if you review their historic district information their town has taken an approach that educates and encourages homeowners to improve and preserve their properties. Their guidelines offer much advice to help homeowners in how to maintain a historic property. The Winchester guidelines also point out that a local historic district in Virginia can be linked to 10-year local real estate tax abatements (<https://www.winchesterva.gov/sites/default/files/documents/planning-zoning/historic-winchester/2017-guidelines-chapter-1-updated.pdf> see page 14) and there is no discussion about tax abatements in the proposed Purcellville ordinance. **Tax abatements often come with other restrictions. For instance,**

Winchester’s document notes that there may be: “some restrictions pertaining to exterior alterations.”

There are many ways to get to the goal the town wants – to preserve its historic character – using positive supports and incentives. **Agreed, but competing with other Town priorities in the presence of our \$50M debt makes this even more challenging. We are also investigating the Certified Local Government program under which, if we qualify, the Town may be eligible for grants that would to finance some projects, particularly updating our 15 year-old survey of historic properties.**

Ami Neiberger

=====

Terry Martin, 126 S 29TH ST

Adamantly opposed to being put in the zone. Affects our property. It’s a thinly veiled attempt to control the revitalization of the 21st Street corridor. It’s government sticking their nose into my personal property business.

=====

Alyce Martin, 126 S 29TH ST

When new houses are eventually designated historic when they become 50 years old, would we be expanding the historic district to eventually cover the entire town? We are absolutely against the historic zone. We have an old foundation but the rest of the house has been extensively remodeled. I don’t understand how we made the list.

History Matters LLC Significance Statement: “January 2006: Though this house has been heavily renovated, it continues to convey its character as a modest, turn-of-the-century house through its vertical massing and modest exterior finishes. This house contributes to the Purcellville Historic District.” This assessment is at odds with the owners’ description.

=====

Scott Warner, 121 S 29TH ST

I am opposed to this proposal. I’ve not heard of anybody who has approved of this. Commissioner Ogelman has said on many occasions that we should be listening to the people. All I’ve heard is people saying no, stay out of our houses.

=====

Casey Chapman, 205 HIRST RD

I own 141, 151 and 161 N. Hatcher Ave. and I formally ask that they be removed from the HPOZ. This is an infringement on personal property rights. I feel you are specifically targeting areas and individual properties and this all came about at a time in which some demolition permits were pulled and then a whole process

started -- you can say it is for the Comprehensive Plan and preserving the historic nature of the town, and you can say you're following that -- you are going too far. People have the right to do what they want with their property. As long as people are following the zoning ordinance they should be able to build what they want. You seem to have a problem with people building miniature mansions. Where they meet the setback requirements in the zoning ordinance they can build it. It doesn't matter that the house next to them is small; it's irrelevant. So if you don't like that, then change the zoning ordinance.

Brian Ducharme, 141 S 29TH ST

I'd like to know where the specific directive is in the Comprehensive Plan. In previous meetings you've stated the will of the people is what's driving this - where does that come from; specific articles/citations?

TOWN OF PURCELLVILLE 2030 COMPREHENSIVE PLAN

Adopted by the Purcellville Town Council (Resolution No.

20-06-03) June 30, 2020 TOPICAL PLANS >

HISTORICAL RESOURCES > RECOMMENDATIONS

The following are recommendations to consider in all land use and development decisions to continue protecting and incorporating historical resources into the fabric and character of Purcellville.

1. Consider amending the Town's historic zoning overlay district to be more inclusive of all historically contributing structures even in non-contiguous areas and entertain recommendations from relevant entities to expand recognition of historic assets within Town. In adopting the 2030 Comprehensive Plan, the Town Council - the peoples' representatives - have expressed the will of the people.

Where I can find the historical survey?

To view the Virginia Department of Historic Resources, Reconnaissance Level Survey, conducted during 2005-2006 by History Matters, LLC for the National Register Nomination, contact:

Don Dooley, MPA, MHP

Director of Planning and Economic

Development 221 S. Nursery Avenue

Purcellville, VA 20132 ddooley@purcellvilleva.gov Phone: (540) 751-2324

One of the "sad faces" was that we're not allowed to opt out - what about opting in? Has the BAR oversight been revised at all for the HPOZ? Next time when I come back we'll have a survey from everybody that's in the town that I can get ahold of. We'll be bringing out a lot of people when you present this at the Town Council meeting to try to shoot his down. I adamantly oppose what you are doing here tonight and you are hereby informed that the proposed HPOZ changes are spot zoning, are arbitrary and to not advance a legitimate governmental interest.

Gordon Holsinger, 300 S ORCHARD DR

According to the 2006 survey, my home is listed as historic - it is not. That house has been added onto over the years. The previous owner made a 20x20 addition, it is clad in aluminum siding and has a 2 story addition. **History Matters LLC Significance Statement: December 2005: "This house, which originated as a Cape Cod form with Colonial Revival detailing, has been heavily altered by the addition on the north side of the front facade. This house does not contribute to the Purcellville Historic District**

because it no longer retains its architectural integrity.” However, the property is part of the HPOZ because it has a contributing structure on it (i.e., the garage).

Mr. Holsinger also noted the poor state of his garage building. **Because a garage is not a principal building (i.e., "a building or structure used, or historically used, to serve the primary use or function of the property on which it is constructed"), its salvage or demolition would not require special BAR approval, just an ordinary demolition permit. Note that once the garage is demolished, the property would no longer qualify as an HPOZ member.**

Uta Brown, 37883 E MAIN ST

I'm the lone person that's for historic preservation and I understand that everybody that had been against it feels that they're going to personally lose something. I think there is something precious about Purcellville. I've lived here for 30 years and I've seen a lot of changes, and I particularly do not want Hatcher Avenue to be turned into an apartment with asphalt. I don't know that there are more people who are against it than for it, because I don't think that anyone has counted for people who if you simply ask them if you want to save the historic districts in town whether they would say yes or no. These people here all have an interest in what they're saying so there could be lots of people out there who feel the way I do.

Leigh Anne Titterington, 150 S 12TH ST

At the time I purchased my home I was aware that some homes in Purcellville were designated as historic and thus fell under specific zoning regulations. I researched the status of my potential home and the fact that it was not a historic property was part of the consideration while making my purchase decision. I am not opposed to the designation of an entire zone of our town as historic. I am not opposed to protecting the stylistic nature of historic towns. [UNRESOLVED AUDIBILITY PROBLEMS]. I do believe that this approach to the stated goals of this effort is completely illogical; it will not result in the intended protection. **Would like to hear more of this argument.** If it is the case that certain construction or demolition on my property would negatively impact the overall value and/or aesthetic of the Town, so would any property work or demolition to the properties surrounding those that have been picked out and chosen for this zoning. **We are working with properties stated by the Commonwealth and nation that have been deemed contributing and the law does not allow the town to discourage demolition on anything but those historic properties.**

Casey Chapman, 205 HIRST RD

Earlier I mentioned 141,7151 and 161 N. Hatcher Ave. Later, an individual said they would not like to see anything built 702o2n.8>.8 Hatcher Ave. I did propose the construction of a three- story apartment building that was approved by the BAR. Where does that stand -- it stands still. There is nothing

happening. I do have demolition permits for those houses. That isn't a hidden thing - it is something that exists. I would like to do whatever I chose with those houses, whether I keep them or take them down. That choice should be mine - and if anyone would like to take that choice away, they're welcome to pay for it. If the town would like to control all the historic properties, it should purchase them. Regarding an individual who spoke earlier, I know for a fact she received over a million dollars from the Town of Purcellville. Have I? The Town preserved her property. But not Hatcher. That's a slippery slope. For someone to make statements like that, that's not right and let me put on the record that it's inappropriate, and if they did receive money, and it was in exchange for protecting their property.

Doreen C. Hope, 521 S 11TH STREET

I believe there are people on the phone who need the opportunity to speak.

Martin L. Cook Jr, 521 S 11TH STREET

I am speaking on behalf of myself and my co-owners. Your cover letter written by Mr. Dooley dated Nov. 8th, 2021 proposed changes regarding the various draft articles: exclude the ancillary structures like a shed, will require Town consent prior to demolition. Unfortunately, Article 14B fails to provide a definition of ancillary structures. Now why is this important? Because Article 14B seeks to protect the Town's historic resources from demolition, but if the entire parcel of land is listed as a historic resource, then it is imperative that an ancillary be clearly defined to properly exclude unintended structures from the Article 14B demolition process. Article 14B references Article 14C which in turn references National Register Bulletin 15. Article 14B Section 3 fails to define categories of historic properties according to National Register Bulletin 15. It seeks to limit the definitions more than what is defined by the Federally-issued National Register Bulletin 15. So, in other words, it's binary; you need to either follow Bulletin 15 or not. Article 14C has issues as drafted because it requires the land owner to sell the historic resource but allows the land owner to keep the underlying land. So this does not allow a way for the purchaser of a historic structure to actually get to the structure without crossing land that he or she does not own or even have a right to access. The public, especially those whose properties are impacted by this HPOZ, have not been informed of the benefits that have been placed on the HPOZ other than the Town's intent to protect certain structures, historical in nature, from being demolished. Finally, as Mr. Ducharme mentioned, since the properties identified in the HPOZ are not included in the Town's designated historic district, property owners in the HPOZ should be able to opt into the HPOZ versus being forced into it by the Town. In summary, Articles 14A, 14B and 14C as they stand should be

rejected as they would not sustain legal challenge.

Alyce Martin, 126 S 29TH ST

The houses in the new historic district need to be relooked at. I just happened to look ours up as well as or neighbor's house that was excluded; it was excluded in 2006 when the study was done because it wasn't 50 old at that time, it is older than 50 years now - and that's a discrimination against those of us in the historic that we are being named while our neighbor who meets the same qualification is not. They didn't look at anything else about the structure because at that point in time it was not 50 years old therefore they didn't even look at it. Every house in this district has to be relooked at for its age because they were just marked as not historic, not 50 years old. I think you'll have a lot more public opinion when other people find out they will fall into this, and I also think you do need a clause that saying that every year houses that will come on line as they reach 50 years old. It can't just be one and done. It has to be across every single year this town goes forward.

Nedim Ogleman, Commissioner

I just wrote down a couple of things that I think are important. I just wanted to go through those, but I am happy to speak about any of the issues people want if I'm forgetting or neglecting something. One thing I will say is, on this general notion of spot zoning and these legal issues, we are completely focused on doing all of this the way the process in the State of Virginia works. Precisely to avoid something like sot zoning, we did not pick an arbitrary list, we did not make any decisions about what was called historical and what wasn't. We just used what the State of Virginia and the nation say is historic, and the State of Virginia and the nation don't say every time something is 50 years old that it comes on line as a historic property. If the town had the resources and if the State had the resources, I think they could try to monitor that kind of thing, but they don't do that. What we have is these snapshots, and that's actually all that those records in Department of Historic Resources for Virginia and the National Register of Historic Places have. On this notion about demolition by neglect, Article 14B should explicitly not talk about demolition by neglect, and that goes to this other issue about what is an accessory structure. Essentially, we've said that the only structure on a property that is listed as being historical that this Article 14B would discourage the demolition of is the primary resource. So if it's a single family detached residential district, e.g. R-2, then only the residential property - if it's a business district, only that business - so any other structure would be accessory structure, whether it's a barn, a springhouse, a garage, a shed, an outhouse, anything like that, no matter if it was registered or not, there would be no limits on demolishing those things in this new district.

These issues bout this somehow being a taking or being outside of the zoning ordinance, this idea that needs to be done through zoning, this is zoning and this is the process. We go through a Comprehensive Plan, there is citizen input into that Comprehensive Plan, then the people who where elected to represent the citizens and vote on the Comprehensive Plan, and Comprehensive Plan

passed by a vote of six of the town councilmembers for and one against, and those were the people who were elected to make those decisions. And there were multiple discussions in the Comprehensive Plan process, there was a consultant hired to gather that information and compile it. It was a five-year process. Comprehensive plans are aspirational documents that get operationalized through conducting zoning. We're proposing zoning and having these public hearings and that's the process we're in. And so on this issue of citizen input, yes, it is the most important thing and it's the biggest question. And certainly - we don't have referenda in this State of Virginia, they're not allowed - but if somebody can come and get a representative something that shows what people voted on, how they voted, or representatives and how those representatives voted, all of that is just wrong, then we needed to hear that. That is the big question. Don't want to do anything that goes against the majority of citizen will. If I can know what that majority of citizen will is, that would be great. I have what I have to go on,

Somebody asked where this was specifically in the Comprehensive Plan, it is on page 87. "Consider amending the Town's historic zoning overlay district to be more inclusive of all historically contributing structures even in non-contiguous areas and entertain recommendations from relevant entities to expand recognition of historic assets within Town."

Stan Milan, Council Liaison

I would like to add to what Commissioner Ogelman stated. I'm not sure if everyone in the audience has had the opportunity to read through the Comp Plan. Every meeting we've had, that is our reference, that is what we use to guide us through this process. Several years ago they had citizens' input and that's what framed the Comp Plan. Citizens came in and stated how they wanted the town to be, these are the things that we need to see, this is what we want, and the final product was the Comp Plan that we approved in June of last year. Now, like Commissioner Ogelman said, we're in the process of implementing that. And I'm not sure that people in the audience were part of the citizen review during the Comp Plan creation, so I would recommend if you have the opportunity to read through the Comp Plan and see what it says - we're staying within that framework.

The comments that were made about the heavy-handedness and overreach of the government during our previous meeting, we took those inputs and toned down the ordinance that was presented then to what we have now. We did not go as excessively hard as people thought we had in the beginning, and when they were here to get an explanation of what the intent and the purpose, then people's attitudes and positions changed the same as now. Please read the Comp Plan and look through it and see what your concerns are; it will address it. We did take citizens input and revise the ordinance to what you see now based on citizens input from the last meeting.

Chip Paciulli, Commissioner

I just jotted down a few notes and I go back and forth on this issue. I do not support each decision that was made by this group but I do very much enjoy the feel of Purcellville. That's why I moved here. I grew up in Vienna, VA 1950 to 1965 and it was a walkable town, and here I was six years old walking to the local candy store. It was a different time, but this town feels somewhat the same to me - the important aspects of it - and if you go to Vienna now, they are not Tysons Corner but they are clearly highly developed with the subdivisions that were being built when I was growing up there and played baseball in their parks and all those types of things. But all those houses are gone and whether it was a 1,000 square-foot house or 2,000 square-foot house, they're all 5,000 square-foot houses now. And yes, people should have choices; there's a hard line in there somewhere, but it's lost that feel. It is intense. I was driving through there today down a street that I used to drive on when I was in high school and its utterly amazing how the area has changed. I think that some version of the direction that we're going in, like I said I don't like every aspect of every part of it, but I think the goal is important to this town.

Boo Bennett, Commission, Vice Chair

The planning commissioners live in the town. We don't own property and live elsewhere; we live in the town. I think that's important. Many of us have lived here for more than couple of decades, and we moved here for a reason - kind of to take on what Commissioner Paciulli was saying. It's emotional, what he said is true. I lived near Vienna and I saw that, and I'm glad that people came here tonight, I appreciate that. I do want to point out that we mailed to nearly 400 people. There are a lot of people who aren't here. I think they like Purcellville just the way it is. They would have shown up as well.

Nan Forbes, Commission Chair

When we close the public hearing, I think it would be a good idea that we sit down here and have an open conversation. It'll still be on the record but I think we can have more give and take than in the more formal process of the public hearing. I wanted to make a couple of observations and piggyback on something Commissioner Bennet said, and this is I've lived here for a really long time. It depends how you count how long it is. I live in my grandmother's house; when I was 2 I went to nursery school across the street. I live on Main Street. I think it's a lodge now but it used to be the old Episcopal church, so I'm down near where Orchard is. So either I have lived here for 67 or 68 years. My husband and I bought my house in Purcellville; we moved in in 1983. This town has changed a lot in the last 40 years; it's changed a lot in the last 65 years.

I also think that everyone who takes their time - this is immensely time-consuming and it's a gift to us that you are willing to come and talk to us and take your time out of a busy rainy night and tell us what you think. It's really important. I want to tell you that we listen. There are areas where we may not agree, but I think that we all agree that we like it here or we wouldn't live here, and that there are things in this town that are valuable to us, and the question is how do we ... what is the best approach

to try to keep the things that we like and to emphasize the things that we like. I will ask most eagerly for your ideas and it's not to tell us what you don't like; tell us what you do like. And if we're not doing it right, tell us how to do it better. Give us your ideas so we can use that in order to do the work that we do. The task that we've been given is to take this Comprehensive Plan and to try to revise the zoning ordinance in order to comport with what the Comprehensive Plan says and that's what this effort is all about: to try to comport with the Comp Plan. As Commissioner Ogelman said, the Comp Plan was arrived at by doing a really deep dive into various citizen groups in the town and trying to get as much feedback as possible as what citizens wanted. We're trying to do that as part of the continuing process.

One of the other things that I will tell you that has struck me as I listened to, I think, that last latter there were references as to whether there was due process, references as to whether or not the language in the proposed ordinance was tracking the Virginia law. There is a Virginia Code section, it's § 15.2 2306, that creates the legal background under which we are trying to devise this ordinance. So it didn't come out of the clear blue sky, it came out of the Virginia code, and so some of the numbers and some of the timelines and things of that nature are actually derived based on the Virginia law.

The only other thing that I will tell you is that we received the message loud and clear from many speakers who came and spoke to us before that people did not want to be told whether they could improve their property, what color they could paint their property, what kind of roof they put on, whether they could do additions, improvements, any of that, people were very clear: We don't want you tell us any of that, we don't want to live in an HOA - we heard that very clearly and that's why a lot of the revisions were made to the ordinance. Frankly, the ordinance never did say that there was going to be control over what paint and what have you, but it was revised to reemphasize that, to make it very clear that nobody in the town is going to be running around checking to see whether or not you are painting your house purple or hot pink or sprinkling sprinkles all over it. Nobody has any desire to do that. The only focus of this is to have a review process before something is torn down. That's it. It's a review process. It doesn't even ultimately prevent demolition. But it does require a review process and options, so that is not the first go to, which is what we think is consistent with the Comprehensive Plan. But if there's a way we can make it better or do it differently, we're open to your ideas. That's why we're here.

PUBLIC HEARING CLOSED.

Alyce Martin: The National Register's criteria for putting a house on a historic list is not just the age, if they look at age and integrity, the property is old enough to be considered historic, generally at least 50 years old, and does it still look much the way it did in the past. Significance: is the property associated with events, activities or developments that were important in the past, with the lives of people who were important in the past, with significant architectural history, landscape history or engineering achievements. Does it have the potential to yield information through archeological investigation about our past. What that says to me is that we only looked at 50 years or older, not does it really have significant value as far as historic reasons where someone famous lived there. There was a woman who soke who said out house was the corner of the town, I understand that; that's a historic property. But just by saying this area, 50 years or older, that doesn't mean historic, especially by the National Register.

Nan Forbes: Is the underlying question was the criteria that were used by the entities that designated these as having historic value, what were the criteria that were used by these entities to designate these properties as having historic value?

Alyce Martin: Right, what other criteria besides age, because I looked at ours and it says heavily reconstructed which is true. Does it look significantly like what it did before - no.

Nedim Ogelman: What happened was History Matters LLC, a company hired by the town, did a survey back in 2006 based on all of those criteria that you were just describing. It's an intensive process' they don't do it all the time, but they did this snapshot. And based on that snapshot, they submitted that to the Virginia Department of Historic Resources and then it went to the National Registry of Historic Places. What they basically said was on all of those dimensions that you just read off, the archeology, integrity, they established a whole cluster of buildings saying this represents a succession of architectural styles in a small town in America, and they said we are not designating individual properties, we are designating this whole district, and somehow these properties contribute to this district because they have some architectural features or style or the best representative of like a rambler from the 50's. The period go from the Revolutionary War through the 1960s or 70s. And then they don't go back and investigate whether a house has been torn down. So I agree with you in that respect. And we tried to do our best to look at those things ...

Alyce Martin: It does specifically say age is not the only factor you have to look at.

Nedim Ogelman: We didn't look at age, we didn't look at any of those criteria. What we did was to take what the National Registry of Historic Places and the Virginia Department of Historic Resources said, they listed as contributing. We didn't make any of those decisions because we don't have the expertise.

Alyce Martin: Right, so because we have one contributing factor, we're on a list. Our foundation is 100 years old but the rest of the house is not necessarily. So for my house, what other significance is brought forward other than age because it does have to meet multiple criteria to be here. I hear you saying the sweeping of the study took some things in, but in reading the book, ...

Nedim Ogelman: I will give my personal opinion on this issue and I will defer to Don Dooley. I do think if a property doesn't have the integrity that it had to get on the list, then appealing to Virginia Department of Historic Resources or to the National Registry ...

Alyce Martin: But I'm not on that list.

Nedim Ogelman: If you're not on that list, you should not be on our list. The only reason that any property should be on our list is because it is contributing to the historically listed district or it is individually listed. And the only individually listed properties that I'm aware of are the Locust grove house, the train station, and the tabernacle. Everything else is in town listed because it's part of the district, and if we've gotten that wrong, if you are not listed, then that is an error that we made.

Alyce Martin: In the Virginia National register, that's what you said ...

Nedim Ogelman: In the Virginia Register and in the National Register. Everything that's in the Virginia Register is also in the National Register.

Terry Martin: She got there by some arbitrary company coming in, this LLC, and doing its evaluation and then promoting our property as historical to the Virginia and Federal register..

Nedim Ogelman: I will say I don't think they're arbitrary. They were hired because they are experts on all of the things that we were just talking about ...

Terry Martin: We should have had an option to opt out of that. We shouldn't have been evaluated and promoted onto that registry without our permission. I don't want to be on that register.

Nan Forbes: It was done as a town-wide survey back in 2006.

Terry Martin: OK. When the survey was completed, we should have been consulted and asked if we wanted to be put on the register.

Nan Forbes: That may be your wish but I don't know that that was an option.

Nedim Ogelman: Just looking through the records, I know there were people who wrote letters in at the time, and I only know this because they're in this report, and they said I don't want you including my house in the Virginia Department of Historic Resources, they negotiated and I don't think they're in there. I don't know how they did that, it's just what I'm seeing in those letters. But some people said I don't want my house included in this.

Terry Martin: OK, so I can retroactively go back and ask to have my house removed from this registry?

Nedim Ogelman: I suspect that you can. I think there are probably cases in town, where unbeknownst to us, a house that was there was demolished, there's a new house there, but ...

Terry Martin: For all intents and purposes, my house was demolished. It was substantially remodeled ...

Nedim Ogelman: To me those properties have lost their historic integrity and so they shouldn't be on there. I know there are some properties that are from ... the original property was from the 19th century ... but in that survey, the person who surveyed it said they'd done so much change to the front of the house that it's lost integrity so we will not include it as contributing to this district.

Terry Martin: There's got to be a process to be removed from this registry.

Nedim Ogelman: The only thing the Town Attorney told us is that because this is zoning, people cannot opt out of that. But I think if someone shows that their house is not ...

Boo Bennett: The only thing you'd have to deal with is if you wanted to knock down your home, you'd have to go through a process. I think the Chair made that point. So if that's the case, what's your biggest fear of being part of it?

Terry Martin: Someone telling me what I can do with my property.

Alyce Martin: Why is our property in the district?

Don Dooley: Your property at the time it was surveyed in 2006 was identified as a contributor to the Purcellville historic district. To understand why it's a contributor, you have to read the context statement that explains the history and the background and what made these buildings come to life. Why were they built? What was going on in the world at the time? What was it about your property or the district that made it significant for being listed in the National Register? The National Register identified four basic criteria. Fundamentally, under criterion A broad patterns of history because it talks about Purcellville becoming an important center of commercial commerce in Western Loudoun County and because, under criterion C, the buildings represent buildings and structures that are considered architectural significant and have higher artistic value, or what the Register says is that individual resources themselves may not have individual components that are not distinctive but they contribute to the overall distinction of the district. So the building has to retain integrity and the concept of integrity goes well beyond this meeting, but the crash course of it is that there are seven basic components that make up the integrity of a building: location, design, setting, feeling, association, materials and workmanship. Fundamentally it has to retain visual qualities, locational qualities that enable that resource to convey its significance or historicity to an observer who understands what it is they're looking for.

Terry Martin: They're subject to the interpretations of that evaluator.

Don Dooley: Yes, the evaluators doing this, like myself, meet the Secretary of the Interior's professional qualifications in history, architectural history, and they go out and do these surveys. There's training, education and experience to be qualified. There are people out

there who are trained to do this and so that's how they're making these judgements. It's a judgement call the same way a judgment call can be made about this building, is it pretty, does it have all of the bells and whistles that the citizens want to say it is a nice building and acceptable for the level of quality we want for the community. But the standards that are set for determining the integrity of a resource are based on the concept of integrity and there are more objective standards because for preservation it's based on research and based on understanding of what you're looking for. You have to look at the integrity criteria and ask if there is sufficient integrity for that building to convey its historic significance? You don't have to meet all seven criteria, but if, for example, you're looking at a building and you're going to say that building is architecturally significant, you'd be looking at each criterion. There are going to be more criteria in the integrity that are going to be more important than other things. Like the location might be less important when considering a building's architectural significance than if it was associated with an individual who is historically significant - that's a cultural context.

Just to add to the question about why a property is in a district, buildings do change over time and modifications are made to buildings. This survey was done in 2006; it's simply a snapshot of what was there at that time and a decision was made on was a building eligible based on the context statement, did it meet its integrity thresholds for significance. At that time, the decision was yes - your house did, your shed did not. At time goes on, buildings evolve. If somebody was to go out there today and resurvey the entire town the way it was done, there will likely be properties that have lose integrity and so they wouldn't be on the list this time. The town's presumption is that there are not further changes unless the town becomes aware of them, then we can look at things like if somebody has demolished a building and that resource is no longer there, then it should be removed. Or if there's a demonstration that the town wants to remove it because it's clearly shown that the building is not the same building that was reviewed 15 years ago. But the town does not have the authority to remove resources that are on the Virginia Landmarks Register or the National Register. Those are separate programs that we don't have the authority to do, not could the State or the National Register if the town had its own register; the town does not have a resource list. But to make those changes, you would have to go to the Department of Historic Resources and ask them to open up the survey and have everything reevaluated again. I will tell you that they're busy, like every place they're short staffed, it's not a process that would happen in the immediate timeframe.

Casey Chapman: If what Don is saying is true, they just won't come out and do another survey at random or an audit of contributing vs. non-contributing structures at any time?

Don Dooley: Not typically, unless there's a reason for them to do it.

Casey Chapman: From my understanding, we would have to request a survey to be done or request them to come out to do an update.

Nan Forbes: By "we" do you mean the town would have the whole town surveyed or individual properties?

Casey Chapman: The town would need to reach out to them and say we'd like you to come ack out and do a resurvey, update the survey.

Nan Forbes: I don't think they'd come without an invitation.

Casey Chapman: They wouldn't come without an invitation, that's the point.

Nedim Ogelman: I think we would need to hire somebody like History Matters LLC or another company to do the survey and then - it's a supply push rather than a demand pull from the National Registry.

Casey Chapman: However it's gone about, the town would seem to have no problem hiring consultants and people to do third party activities, so something of this magnitude that affects thus much real estate value, this is a big deal. This is millions, tens of millions of dollars arguably, and I don't even know what the cap is of what this really net affects. It seems like a fee of some kind that would be paid to a third party to do a new updated survey to see where these properties land; and how it affects individuals like those who have come here tonight but have upgrades to their hoses, and what would drop off and add on. It isn't a ridiculous notion to entertain, isn't a ridiculous request to be made, and to see how it plays out. Just because it won't happen quickly doesn't mean it's not a good idea. I think it's a valid proposal.

Nedim Ogelman: I think two things. Individual property owners could always go and appeal to the Virginia Department of Historic Resources or to the National Registry and say this needs to be updated. We did go out and observe the resources enough to say that as of the list, these are the resources in town. After that, I'll go back to saying our Comprehensive Plan, the ways people voted, all of that, they said they wanted to preserve these things and if we get a clear signal that this is not what people want, then we should change, we should pivot. But we need the clear signal.

Casey Chapman: I think a clear signal would be best determined by having clear information provided to them and a survey from 2006 - which recently I brought up a town traffic study that is currently in place, the town transportation plan that is currently in place, and I was that it was outdated and we're not necessarily following it. That's not true - you have to follow it because that's what in place, that's your guideline, that is it. Until you change it, you've got to go by it.

Nedim Ogelman: It's in the Comprehensive Plan that it asks that it be updated.

Casey Chapman: And the Comprehensive Plan is an aspirational document, as we've said. It can be interpreted in different ways.

Nedim Ogelman: That's right. So for right now, that is the reference. The ordinance is in the ordinance. But we're in the process of updating the ordinance and so if there's something in the transportation plan that's already been done, then that's right; it's in the ordinance.

Casey Chapman: I just want it clear that the properties that I own, I don't think would change status of being contributing or non-contributing. What I'm saying about getting the survey redone, I'm not saying oh, maybe they'll look at mine and have a change of heart. No, I think they'll probably still land in the same place, but that's not the point. The point here is there are a lot of houses that are in this new zoning district, the HPOZ, that have had modifications made to them, that have been updated, that have been changed since 2006 and a new look might be warranted. That's all I'm saying. And given that this affects so much personal property that amounts to so much in real estate value, net worth, that it needs to be taken extremely seriously. This is affecting people right where it hits them, right in the wallet.

Boo Bennett: Can you make that concrete? We're not changing anything. What is this going to cost you? We answered those questions - they were brought up in the summer, in July. People asked is my insurance going up, will I be able to sell my house, etc., and we answered those in our subsequent meetings. A lot of that stuff is just opinion. Do you have facts? We're not saying that you have to do this. We're not doing a preservation situation where we're saying that you have to use these certain materials, you can only use this color or that color, we're not doing any of that. You're dramatizing it saying that it's going to cost.

Casey Chapman: I don't agree with that. I think that's an inappropriate statement.

Boo Bennett: Excuse me? OK, you seem to be elevating your comments up and up, and yes, I have to articulate it some how and it seems a little dramatic and I'm just saying ...

Casey Chapman: What's dramatic is taking away people's personal property rights ...

Boo Bennett: We are not doing that.

Casey Chapman: If you want to see how I speak to the value, and how I can state that as a fact, if you take a 1,000 square foot house and tear it down and you build a 3,000 square foot house ...

Boo Bennett: We're not saying you can't do that. We're saying you have to go through a process because you know why? There are other people that live on the street. They're your neighbors. And just like you think the town impacts you, you and me can impact our neighbors. And so we go through a process, that's what we're doing tonight, and we extend that same opportunity to you and your neighbors to go through a process. That's what the ordinance does. That's what tax law does, that's what all kinds of law does.

Casey Chapman: And that's what real estate does.

Boo Bennett: It's not just real estate. It's lots of things.

Casey Chapman: Sure, there is a line to be drawn. It's a property line. It's been drawn.

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Nan Forbes: I think opinions have been stated and questions have been asked. I have a question. Apparently an email came in from Ami Neiberger. What I need to ascertain is whether or not she wishes to speak again or if she wishes to have this email that came in at 8:30 PM read into the record. It looks on that face of it that much of what you said is what was in this email.

Ami Neiberger: I am fine with this email not being read into the record. I did put in the email some comments. For example, if you look at the historic guidelines in Winchester, they have a very large historic district and their guidelines offer a lot of support to property owners about education, about how to maintain historic buildings. They also offer advice on grants and loans and incentives. They also point out that a local historic can also have local tax abatements provided, and there's nothing like that in this ordinance. So I think there are some things that can be done to help the town reach the goal. The goal is to preserve the historic integrity of the town but that could educate homeowners about how to maintain their properties but not in a punitive way. I think there are some things that can be done to encourage that, whether it's not through this zoning process but perhaps in other ways the town can look at to achieve this goal of maintaining that character. I personally do understand wanting to have a process around demolition of historic structures. I think it's very valid what constitutes a historic structure when so many people around me are questioning why their homes are on this list. I don't question it. I bought a house, I knew it was old, I knew it was historic. But many people did feel, I think, blindsided by this and I think there's got to be some way to help rectify some of this and also to just positively encourage people to preserve some of these structures rather than take a punitive approach, which is what I feel like some of this is as much as I'm empathetic to the idea that we should have some sort of process in place for demolition.

Nedim Ogelman: These things about providing advice and resources, financial and other kinds of resources - we've talked about this significantly. There's this chicken and egg problem with getting these other resources. Another thing that it says in the Comprehensive Plan is that we should try to join the Certified Local Government program, and that program provides some resources for a resurvey and some things like that. However, the town with its current district and potentially with introducing this new district because we're trying to do it with this light touch, it's currently not eligible. They tried to make it eligible when they made the historic corridor overlay district and the State said no, the town is not eligible for the Certified Local Government, because I think they were not protecting a wide enough area, like it was a breadth issue. But we could still have a depth issue even if we do this because we're trying to do this light touch.

Without that Certified Local Government and being sensitive to people's taxes and things like that, we're not able to find the resources to support that kind of education and rebuilding. But I will say that when you mentioned Winchester, they are eligible for those resources in part because they have these historic districts; they're preserving buildings.

Stan Milan: The reason we're not a Certified Local Government is because we don't have the qualifications that are required to meet the criteria. I had asked Staff to look at this last year; we had applied for the Certified Local Government program, but weren't given it because we need more certifications, more qualified people to be in that category.

Nan Forbes: So unless we have a historic district that contains more regulations of certain areas, we won't qualify for Certified Local Government and then we won't be eligible for various grants, loans, programs, things of that nature. Is that what I'm hearing?

Nedim Ogelman: At least the ones they offer. I think we're always fishing to find money without dipping into our taxpayer's pockets. Boo made a really important point. What we got back from the Town Attorney when we were looking to just pass a demolition ordinance was that the State's laws do not allow us to do that.

Nan Forbes: Unless it's under the code section that I mentioned earlier which is the Virginia statute § 15.2306; unless it's within a historic district.

Nedim Ogelman: So you need the historic district to discourage demolition.

Nan Forbes: So we need the historic district in order to permit legislation that says you can't put in legislation that creates a process prior to demolition. It should be framed that way. It's not really anti-demolition. It's a process that you have to go through before there can be a demolition. In order to do that, it has to be within a historic district or something that's called a historic district and so we were trying to create a historic district and the phrase that's been used was with the lightest possible touch. Most historic districts that you see when you look at other communities regulate far more. They're much broader than anything we've looked at. But we listened to people who came and spoke and said we don't want any of that, we don't want to be told anything about colors, styles, materials, etc. And so all of that was taken out and so the only thing that remained is the essence of this proposed ordinance, this process for preventing demolition, but it doesn't have anything to do with any other aspect of what people want to do with their property assuming it meets the other zoning regulations.

Scott Warner: So in order to do the demolition, you have to have this process approved? Is that what you're proposing.

Nan Forbes: In order to have an ordinance that contains a process before a historic property can be demolished it has to fall within the umbrella of § 15.2 2306 which the preservation of architectural sites ...

Scott Warner: For our properties, right now, we don't fall within that umbrella.

Boo Bennett: There's no process at all.

Scott Warner: Correct.

Nan Forbes: Except in the historic corridor - this historic corridor exists. Everything that you see in the red and white hatching up and down Main Street.

Scott Warner: I understand all of that. What was the purpose of the survey that was done in 2006?

Nedim Ogelman: The purpose of that survey was to inventory or establish what buildings would contribute to this historic district and why. Before they had any ordinance, I think.

Scott Warner: What resulted from that survey?

Nedim Ogelman: They identified the set of buildings in town that are in blue and yellow on that map that they said contribute to the historic character and are worthy of preserving as an asset to the State and to the nation.

Don Dooley: The nearest I can tell you is that the earlier Comp Plans of the town identified historic preservation as a recommended goal of the town, to identify what makes Purcellville ... what resources contributed to the significance of Purcellville, to recognize the town's history. I wasn't here at the time, but from that goal the survey to survey the town was born and from that came the Purcellville Historic District which we now have in the community.

Scott Warner: The other thing I wanted to say, Ms. Bennett, is you made a statement about 400 surveys have been sent out and you feel that everybody feels OK with this, they like being here and they're OK with it. I hope you're not so naive to think that that's actually the case. There were about ten people who spoke against this process tonight and one who was in agreement with it - doesn't mean that the other 389 people out there agree with it.

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Stan Milan: I would recommend that everyone take to opportunity to read the Comp Plan because that seems like where there a disconnect from what we're saying or what we're trying to do, and its available through the town web site,

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Nan Forbes: I am tasked with providing a summary and next steps. The summary I can give is it's always important and a pleasure to meet with people from the town and to know who you are and to connect names with faces and frankly to have conversations. It takes a lot of effort to come to a night meeting like this and we know that and appreciate it, so thank you all very, very much for coming and speaking and raising questions and making us aware of what your concerns are. It's immensely valuable and we're trying really hard to get it right, so without that input, we'd fail. We have heard from a number of people today by letter and email: Deuk Yeon, Beverly Chiasson, Randy Broaddus, Ami Neiberger, and Doreen Hope, , and in person or by phone: Terry Martin, Alyce Martin, Scott Warner, Casey Chapman, Brian Ducharme, Gordon Holsinger, Uta Brown, Leigh Anne Titterington, and Martin L. Cook. A lot of people who came today expressed concerns and opposition to this. I will note that I think that I heard everyone clearly and I think that my colleagues and I will certainly try to make note of what we were told and those remarks will be forwarded to the Town Council, because it is ultimately we who may make recommendations but it is the Town Council who decides.

In terms of next steps, our next meeting on December 2nd and in the meantime we'll be considering the things we heard today, to the extent that we think any changes need to be made we'll be making those recommendations, we'll be collating a list of all the comments we've heard today and at the December 2nd meeting it is my expectation that there will be a resolution to forward both the comments and the proposed legislation to the Town Council for their review, their comment and ultimate determination.

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[ADJOURNMENT]

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COMMENTS FROM 12/2/21 PLANNING COMMISSION MEETING

From: DEUK YEON <deukyeon@comcast.net>
Sent: Friday, November 12, 2021 12:20 PM
To: Dooley, Don <doooley@purcellvilleva.gov>
Cc: Deuk Yeon <rainbowyeon@hotmail.com>
Subject: Objection to HPOZ Ordinance & Regulations: 140 S. 20th St.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Dooley,

I read many owners of HPOZ-affected area complained or objected HPOZ.

Did the Town Planning Commission receive enough votes or agreements to hold 11/18/21 hearing again?

Please send us this data if the data justified legal rights to move on with HPOZ.

We oppose HPOZ again because it takes our time, efforts, likely legal expenses while it eliminates our rights and needs against our flexibility for moving, remodeling, upgrading, repairing, and selling my property at 140 S. 20th St. Please delete my property from this HPOZ asap. Also, please count our objections in your and Town Planning Commission's decision making.

Thank you for your cooperation.

Regards,

Deuk and Kyong Yeon for Rainbow Realty & Investment, Inc.

Bandy, Kimberly

From: Beverly Macdonald <bevmacdonald99@aol.com>
Sent: Thursday, November 18, 2021 8:24 AM
To: Planning Commission
Subject: Historic Preservation Overlay

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning, Please accept this as my comments for the Public Hearing tonight on the Historic Preservation Overlay Zone.

I am not in favor of Purcellville moving forward with the Historic Preservation Overlay Zone. While my home is not currently in this new zone I anticipate it may be in the future.

Thru out the Planning Commission discussions Commissioners constantly refer to taking "baby-steps" when adopting this ordinance. It is well understood that this ordinance does little in protecting the "contributing" features of a home deemed historic. Therefore additional modifications will need to be added in the future. "Baby steps" will allow the Planning Commission to gain Public approval to just start this process.

The truly historic and iconic properties in Purcellville are already protected thru a current ordinance. This new layer of regulation may mean the difference in a Purcellville family being able to replace a home that is simple old (Pullen House) with a handicap accessible home, as in our families case, Those decisions are best left with the property owner.

For these reasons and more I do not agree with Purcellville adopting the Historic Preservation Overlay Zone.

Thank you,

Beverly Chiasson
110 North 28th Street
Purcellville, VA. 20132

Bandy, Kimberly

From: Randy Broaddus <broadview2105@gmail.com>
Sent: Thursday, November 18, 2021 11:24 AM
To: Planning Commission
Subject: Historic preservation overlay zone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

We are the owners of the property at 150 S. 20th St. Purcellville VA.

In reference to being included in the proposed historic preservation overlay zone, we strongly oppose being included.

Loss of property value, unneeded regulation, and increased government oversight are some, but not all, of the numerous reasons.

It is not a "zone" if individual property owners have been removed from that "zone". It is targeted at individual property owners.

We request that our property be removed from the proposed historic preservation overlay zone.

Regards,

The Owners of 150 S. 20th St. Purcellville VA.

November 18, 2021

Town of Purcellville Planning Commission
c/o Office of the Town Clerk
221 South Nursey Avenue
Purcellville, VA 20132

RE: Public Comment on the New Historic Preservation Overlay Zone Affecting 521 S. 11th Street, Purcellville, VA 20132

Dear Commissioners:

On behalf of the owners of 521 S. 11th Street, Purcellville, VA, the following are our comments on the revised proposed changes to Article 14(B) and (C):

1. While the cover letter from Mr. Don Dooley dated November 8, 2021 transmitting the proposed changes states the revised draft articles exclude "ancillary structures, "like a shed" from requiring Town consent prior to demolition. However, the Article 14(B) fails to provide a definition of "ancillary structures". There are many other "ancillary structures" other than a shed that exist on affected properties that fall into disrepair and require demolition.
2. Article 14(B) seeks to protect the Town's Historic Resources from demolition, but if the entire parcel of land is listed as a Historic Resource, then it is imperative that an "ancillary structure" be clearly defined to properly exclude unintended structures from the 14(B) demolition process.
3. Article 14(B) references Article 14(C) which references the National Register Bulletin 15. However, the definitions set forth in Article 14(b), Section 3 fail to define categories of historic properties according to the National Register Bulletin 15 and it seeks to limit the definitions more than what is defined by the federally-issued National Register Bulletin 15.
4. Moreover, Article 14(B) Section 2 pertaining to the applicability of the Article should specifically state that it is not applicable to "ancillary structures."
5. Regarding Article 14(C), the document itself is not identified as a "DRAFT" document and the formatting is incorrect, e.g., "14.C.". Not being labeled properly misleads the public as it appears to be a provision already enacted verses being a mere draft.
6. Further, the process as outlined in Article 14(C) is fallible in that Section 6, as drafted, appears to require the landowner to sell the historic resource (the building structure or object", but allows the landowner to keep the underlying land. If this interpretation is correct, then the provision does not meet the Town's goal of protecting historic structures and does not allow a way for the purchaser of the historic structure to

actually get to the structure without crossing land that he or she does not own or have legal rights to access.

7. It is unclear what the proposed timeframes and sale limitations for sale offerings are based on. Therefore, they are arbitrary and capricious and would not sustain legal challenges.

Other areas of concern include:

- a. These documents are not in a format (e.g., "red-lined") to clearly delineate what was existing wording in the Articles and what is proposed to be changed – again, thereby misleading the public.
- b. At some points since the last hearing, which was not noticed to the public properly, documents for review and the status of this matter was not maintained on the Town's website as was told to the public during the July 15, 2021 hearing on this Historic District Overlay Project.
- c. The public, especially those whose properties are impacted by this HPOZ, has not been informed as to the benefits of being placed in the HPOZ other than the Town's intent to protect certain structures historical in nature from being demolished.
- d. Since the properties identified in the HPOZ are NOT included in the Town's designated Historical District, property owners in the HPOZ should be able to "opt-in" the HPOZ verses being forced into it by the Town. Subsequent purchasers know when they have bought into a Historic District and the limitation and benefits are widely known throughout. However, recent property purchasers may not know they have bought into a HPOZ which deprives them of knowing how his or her property can be used. As such, if this provision does pass, it should not be enacted until at least 5 years.

In sum, the draft Articles 14(B) and 14(C) should be rejected as they would not sustain legal challenge, they are arbitrary and capricious, overburdensome on landowners, they are based on subjective and arbitrary processes and the HPOZ list and map are based on erroneous data. As such, these draft Articles thereby substantially deprive certain property owners adequate due process.

Thank you for this opportunity to present and submit comments on this very important matter. Please include this letter into the public record on this hearing.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Doreen C. Hope".

Doreen C. Hope, on behalf of myself and
Darryl A. Cook, Deborah C. Moten, and
Martin L. Cook, Jr.

Bandy, Kimberly

From: Ami Neiberger <ami@steppingstonellc.com>
Sent: Thursday, November 18, 2021 8:37 PM
To: Bandy, Kimberly
Cc: dhayes@purcellvilleva.gov
Subject: Historic Overlay Zone - Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Bandy,

I own the 101-year-old house located at 600 South Maple Avenue in Purcellville known as the Case family farmhouse, which was used to create boundaries when the town was formed. I can understand the stated desire of the town to prevent the demolition of historic structures, as if my home were sold and someone purchased it – they could knock down the house and put a number of homes on the lot. That would irreparably alter the neighborhood. I can understand that because if my home were demolished – it would impact the historic character of the town in some way, albeit perhaps a small one. I can understand needing a process to discuss and permit demolition of historic buildings.

I am concerned about the potential arbitrariness of the application of the language around demolition by neglect in the proposed ordinance. I am doing a lot of repair work on my home right now and I wonder – if this were passed would I get a letter from the town about a bad beam on my back porch or damaged brick on my chimney? I have recently made thousands of dollars in repairs and still have more to go. Would the demolition by neglect provisions in this ordinance be used to essentially force homeowners to abide by rules one might more commonly find in a homeowners association? I think this is a valid question for homeowners with properties affected by this historic overlay district to ask. As a homeowner, I am very dedicated to my property but I also feel that I should be able to prioritize my updates based on what I want to do and can afford to do as a homeowner, not because the town has arbitrarily decided to question how something on my property looks and call it demolition by neglect, even though I have no intention of demolition.

I have a master's degree in history from the University of Florida and in looking at how other localities approach historic districts, I think a positive approach that supports historic preservation would help. The town could use education, community recognition, education about tax incentives or loans for preservation, and other methods to incentivize homeowners to maintain their properties.

There are many historic structures in nearby Winchester (<https://www.winchesterva.gov/planning/historic-district-design-guidelines>) and a large historic district, and in that case, if you review their historic district information their town has taken an approach that educates and encourages homeowners to improve and preserve their properties. Their guidelines offer much advice to help homeowners in how to maintain a historic property. The Winchester guidelines also point out that a local historic district in Virginia can be linked to 10-year local real estate tax abatements (<https://www.winchesterva.gov/sites/default/files/documents/planning-zoning/historic-winchester/2017-guidelines-chapter-1-updated.pdf> see page 14) and there is no discussion about tax abatements in the proposed Purcellville ordinance.

There are many ways to get to the goal the town wants – to preserve its historic character – using positive supports and incentives.

Ami Neiberger

DRAFT

**REMARKS EMAILS SENT AND COMMENTS MADE AT THE
PURCELLVILLE PLANNING COMMISSION
PUBLIC HEARING AND TOWN HALL
THURSDAY, NOVEMBER 18, 2021**

Planning Commission response.

From: DEUK YEON <deukyeon@comcast.net>
Sent: Friday, November 12, 2021 12:20 PM
To: Dooley, Don <ddooley@purcellvilleva.gov>
Cc: Deuk Yeon <rainbowyeon@hotmail.com>
Subject: Objection to HPOZ Ordinance & Regulations: 140 S. 20th St.

Mr. Dooley,

I read many owners of HPOZ-affected area complained or objected HPOZ. Did the Town Planning Commission receive enough votes or agreements to hold 11/18/21 hearing again? Please send us this data if the data justified legal rights to move on with HPOZ. **The Planning Commission agreed unanimously to hold the public hearing, In fact, a public hearing is required to move this item forward.**

We oppose HPOZ again because it takes our time, efforts, likely legal expenses while it eliminates our rights and needs against our flexibility for moving, remodeling, upgrading, repairing, and selling my property at 140 S. 20th St. **There is clearly a misunderstanding on Ms. Yeon's part as to what the HPOZ's reach and limits are. This might be cleared up with an in-person conversation.**

Please delete my property from this HPOZ asap. **As previously explained, we cannot delete a qualifying property from the HPOZ.**

Also, please count our objections in your and Town Planning Commission's decision making.

Thank you for your cooperation.

Regards,

Deuk and Kyong Yeon for Rainbow Realty & Investment, Inc.

=====
Historic Preservation Overlay
Beverly Macdonald <bevmacdonald99@aol.com>
Yesterday, 8:23 AM

Planning Commission

Good Morning, Please accept this as my comments for the Public Hearing tonight on the Historic Preservation Overlay Zone.

I am not in favor of Purcellville moving forward with the Historic Preservation Overlay Zone. While my home is not currently in this new zone I anticipate it may be in the future.

Thru out the Planning Commission discussions Commissioners constantly refer to taking “baby-steps” when adopting this ordinance. It is well understood that this ordinance does little in protecting the “contributing” features of a home deemed historic. Therefore additional modifications will need to be added in the future. “Baby steps” will allow the Planning Commission to gain Public approval to just start this process. **The HPOZ is intended to preserve most of what makes up the visual aspects of Purcellville’s small-town character; i.e., a collection of houses. It specifically does not address the individual features of the properties.**

The truly historic and iconic properties in Purcellville are already protected thru a current ordinance. **Only 28% of the properties that comprise Purcellville’s Historic Overlay District are protected through any ordinance (i.e., the HCOD).** This new layer of regulation may mean the difference in a Purcellville family being able to replace a home that is simple old (Pullen House) with a handicap accessible home, as in our families case, Those decisions are best left with the property owner. **The BAR would most likely become involved in such a case and they would most likely work with the home owner to arrive at a mutually-acceptable solution.**

For these reasons and more I do not agree with Purcellville adopting the Historic Preservation Overlay Zone.

Thank you,

Beverly Chiasson
110 North 28th Street
Purcellville, VA. 20132

=====
Randy Broaddus <broadview2105@gmail.com>
Yesterday, 11:24 AMPlanning Commission

Good morning,

We are the owners of the property at 150 S. 20th St. Purcellville VA.

In reference to being included in the proposed historic preservation overlay zone, we strongly oppose being included.

Loss of property value, unneeded regulation, and increased government oversight are some, but not all, of the numerous reasons. **Generally, there is a gain rather than a loss of property values for historic properties.**

It is not a "zone" if individual property owners have been removed from that "zone". **The word "zone" has many definitions. In a germane example, the "Introduction to Non-Contiguous Clustering: A Guide for New Jersey Municipalities" (Ben Spinelli, August 2017) includes recent amendments to the New Jersey Municipal Land Use Law allowing for the expansion of non-contiguous clustering as a planning tool. Non-contiguous clustering is a variation on the land use concept of cluster development. It allows a municipality to extend this concept to multiple tracts of land. As the name describes, the properties need not be contiguous and they need not be in common ownership.** It is targeted at individual property owners. **The HPOZ is targeted, but at protecting a "community" of houses, rather than at particular individuals.** We request that our property be removed from the proposed historic preservation overlay zone. **As previously explained, we cannot delete a qualifying property from the HPOZ.**

Regards,

The Owners of 150 S. 20th St. Purcellville VA.

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From: Doreen C. Hope, 521 S 11TH STREET

Dear Commissioners

On behalf of the owners of 521 South 111th Street, the following are our comments on the revised proposed changes to Articles 14B and 14C.

1. While the cover letter from Mr. Don Dooley dated Nov. 8th, 2021 transmitting the proposed changes states the revised draft articles exclude ancillary structures like a shed from requiring Town consent prior to demolition. However Article 14B fails to provide a definition of ancillary structure. There are many ancillary structures other than a shed that exist on affected properties that fall into disrepair and require demolition.
2. Article 14B seeks to protect the Town's historic resources from demolition, but if the entire parcel of land is listed as a historic resource, then it is imperative that an ancillary structure be clearly defined to properly include unintended structures from the Article 14B demolition process.
3. Article 14B references Article 14 C which references the National Register Bulletin 15. However, the definition set forth in Article 14B Section 3 failed to define categories of historic properties according to the National Register Bulletin 15 and it seeks to limit the definitions more than what is defined by the Federally-issued National Register Bulletin 15.

4. Moreover, Article 14B section 2 pertaining to the applicability of the article should specifically state that it is not applicable to ancillary structures.
5. Regarding Article 14C the article itself is not identified as a draft document and the formatting is incorrect, for example 14.C. Not being labeled properly misleads the public as it appears to be a provision already enacted versus being a mere draft.
6. Further, the process as outlined in Article 14C is fallible in that Section 6 as drafted appears to require the land owner sell the historic resource, the building structure or object, but allows the land owner to keep the underlying land. If this interpretation is correct, then the provision does not meet the Town's goal of protecting historic structures and does not allow a way for the purchaser of the historic structure to actually get to the structure without crossing land that he or she does not own or have legal rights to access.
7. It is unclear what the proposed time frames and sale limitations for sale offerings are based on. **VA Code § 15.2-2306.A.3** Therefore they are arbitrary and capricious and would not sustain legal challenges. Other areas of concern include:
 - a. These documents are not in a format, for example redline, to clearly delineate what was existing, wording and Articles and what is proposed to be changed, again thereby misleading the public;
 - b. At some point since the last hearing **which was not noticed to the public properly**, documents for review and the status of this matter was not maintained on the Town's website as was told to the public during the July 15, 2021 hearing on the historic district overlay project;
 - c. The public, especially those whose properties are impacted by this HPOZ, has not been informed as to the benefits of being placed in the HPOZ other than the Town's intent to protect certain structures historical in nature from being demolished;
 - d. Since the properties identified in the HPOZ **are not included** in the Town's designated Historical District **Not true - the Purcellville Historic District was drawn to comprise the Town's historic resources - see map on next page**, property owners in the HPOZ should be able to opt in the HPOZ versus being forced into it by the Town. Subsequent purchasers know when they have bought into a historic district and the limitations and benefits are widely known throughout. However, recent property purchasers may not know they have bought into an HPOZ which deprives them of knowing how his or her property can be used. As such, if this provision does pass, it should not be enacted until at least five years.

In sum, the draft Articles 14B and 14C should be rejected as they would not sustain legal challenge, they are arbitrary and capricious, overburdensome on land owners, they are based on subjective and arbitrary processes, and the HPOZ list and map are based on erroneous data. As such, these draft articles thereby substantially deprive certain property owners adequate due process.

Thank you for this opportunity to present and submit comments on this very important matter. Please include this letter in the public record on this hearing.

Respectfully submitted.

Doreen C. Hope



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From: Ami Neiberger [mailto:ami@steppingstonellc.com]
Sent: Thursday, November 18, 2021 8:37 PM
To: Bandy, Kimberly <kbandy@purcellvilleva.gov>
Cc: dhayes@purcellvilleva.gov
Subject: Historic Overlay Zone - Public Comment

Dear Ms. Bandy,

I own the 101-year-old house located at 600 South Maple Avenue in Purcellville known as the Case family farmhouse, which was used to create boundaries when the town was formed. I can understand the stated desire of the town to prevent the demolition of historic structures, as if my home were sold and someone purchased it – they could knock down the house and put a number of homes on the lot. That would irreparably alter the neighborhood. I can understand that because if my home were demolished – it would impact the historic character of the town in some way, albeit perhaps a small one. I can understand needing a process to discuss and permit demolition of historic buildings.

I am concerned about the potential arbitrariness of the application of the language around demolition by neglect in the proposed ordinance. **{SALLY: Please address this.}** I am doing a lot of repair work on my home right now and I wonder – if this were passed would I get a letter from the town about a bad beam on my back porch or damaged brick on my chimney? I have recently made thousands of dollars in repairs and still have more to go. Would the demolition by neglect provisions in this ordinance be used to essentially force homeowners to abide by rules one might more commonly find in a homeowners association? I think this is a valid question for homeowners with properties affected by this historic overlay district to ask. As a homeowner, I am very dedicated to my property but I also feel that I should be able to prioritize my updates based on what I want to do and can afford to do as a homeowner, not because the town has arbitrarily decided to question how something on my property looks and call it demolition by neglect, even though I have no intention of demolition.

I have a master's degree in history from the University of Florida and in looking at how other localities approach historic districts, I think a positive approach that supports historic preservation would help. The town could use education, community recognition, education about tax incentives or loans for preservation, and other methods to incentivize homeowners to maintain their properties. **Agreed, but in the crawl, stand, walk, run progression to success, we are just in the crawl stage, and the education, etc. steps are probably in the walk stage - and other "tools" such as incentives would come later.**

There are many historic structures in nearby Winchester (<https://www.winchesterva.gov/planning/historic-district-design-guidelines>) and a large historic district, and in that case, if you review their historic district information their town has taken an approach that educates and encourages homeowners to improve and preserve their properties. Their guidelines offer much advice to help homeowners in how to maintain a historic property. The Winchester guidelines also point out that a local historic district in Virginia can be linked to

10-year local real estate tax abatements

(<https://www.winchesterva.gov/sites/default/files/documents/planning-zoning/historic-winchester/2017-guidelines-chapter-1-updated.pdf> see page 14) and there is no discussion about tax abatements in the proposed Purcellville ordinance. **Tax abatements often come with other restrictions. For instance, Winchester’s document notes that there may be: “some restrictions pertaining to exterior alterations.”**

There are many ways to get to the goal the town wants – to preserve its historic character – using positive supports and incentives. **Agreed, but competing with other Town priorities in the presence of our \$50M debt makes this even more challenging. We are also investigating the Certified Local Government program under which, if we qualify, the Town may be eligible for grants that would to finance some projects, particularly updating our 15 year-old survey of historic properties.**

Ami Neiberger

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Terry Martin, 126 S 29TH ST

Adamantly opposed to being put in the zone. Affects our property. It’s a thinly veiled attempt to control the revitalization of the 21st Street corridor. It’s government sticking their nose into my personal property business.

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Alyce Martin, 126 S 29TH ST

When new houses are eventually designated historic when they become 50 years old, would we be expanding the historic district to eventually cover the entire town? We are absolutely against the historic zone. We have an old foundation but the rest of the house has been extensively remodeled. I don’t understand how we made the list.

History Matters LLC Significance Statement: “January 2006: Though this house has been heavily renovated, it continues to convey its character as a modest, turn-of-the-century house through its vertical massing and modest exterior finishes. This house contributes to the Purcellville Historic District.” This assessment is at odds with the owners’ description.

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Scott Warner, 121 S 29TH ST

I am opposed to this proposal. I’ve not heard of anybody who has approved of this. Commissioner Ogelman has said on many occasions that we should be listening to the people. All I’ve heard is people saying no, stay out of our houses.

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Casey Chapman, 205 HIRST RD

I own 141, 151 and 161 N. Hatcher Ave. and I formally ask that they be removed from the HPOZ. This is an infringement on personal property rights. I feel you are specifically targeting areas and individual properties and this all came about at a time in which some demolition permits were pulled and then a whole process started -- you can say it is for the Comprehensive Plan and preserving the historic nature of the town, and you can say you're following that -- you are going too far. People have the right to do what they want with their property. As long as people are following the zoning ordinance they should be able to build what they want. You seem to have a problem with people building miniature mansions. Where they meet the setback requirements in the zoning ordinance they can build it. It doesn't matter that the house next to them is small; it's irrelevant. So if you don't like that, then change the zoning ordinance.

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Brian Ducharme, 141 S 29TH ST

I'd like to know where the specific directive is in the Comprehensive Plan. In previous meetings you've stated the will of the people is what's driving this - where does that come from; specific articles/citations?

TOWN OF PURCELLVILLE 2030 COMPREHENSIVE PLAN

Adopted by the Purcellville Town Council (Resolution No. 20-06-03) June 30, 2020

TOPICAL PLANS > HISTORICAL RESOURCES > RECOMMENDATIONS

The following are recommendations to consider in all land use and development decisions to continue protecting and incorporating historical resources into the fabric and character of Purcellville.

1. Consider amending the Town's historic zoning overlay district to be more inclusive of all historically contributing structures even in non-contiguous areas and entertain recommendations from relevant entities to expand recognition of historic assets within Town.

In adopting the 2030 Comprehensive Plan, the Town Council - the peoples' representatives - have expressed the will of the people.

Where I can find the historical survey?

To view the Virginia Department of Historic Resources, Reconnaissance Level Survey, conducted during 2005-2006 by History Matters, LLC for the National Register Nomination, contact:

**Don Dooley, MPA, MHP
Director of Planning and Economic Development
221 S. Nursery Avenue
Purcellville, VA 20132
ddooley@purcellvilleva.gov
Phone: (540) 751-2324**

One of the "sad faces" was that we're not allowed to opt out - what about opting in? Has the BAR oversight been revised at all for the HPOZ? Next time when I come back we'll have a survey from everybody that's in the town that I can get ahold of. We'll be bringing out a lot of

people when you present this at the Town Council meeting to try to shoot his down. I adamantly oppose what you are doing here tonight and you are hereby informed that the proposed HPOZ changes are spot zoning, are arbitrary and to not advance a legitimate governmental interest.⁴

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Gordon Holsinger, 300 S ORCHARD DR

According to the 2006 survey, my home is listed as historic - it is not. That house has been added onto over the years. The previous owner made a 20x20 addition, it is clad in aluminum siding and has a 2 story addition. **History Matters LLC Significance Statement: December 2005: "This house, which originated as a Cape Cod form with Colonial Revival detailing, has been heavily altered by the addition on the north side of the front facade. This house does not contribute to the Purcellville Historic District because it no longer retains its architectural integrity." However, the property is part of the HPOZ because it has a contributing structure on it (i.e., the garage).**

Mr. Holsinger also noted the poor state of his garage building. **Because a garage is not a principal building (i.e., "a building or structure used, or historically used, to serve the primary use or function of the property on which it is constructed"), its salvage or demolition would not require special BAR approval, just an ordinary demolition permit. Note that once the garage is demolished, the property would no longer qualify as an HPOZ member.**

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Uta Brown, 37883 E MAIN ST

I'm the lone person that's for historic preservation and I understand that everybody that had been against it feels that they're going to personally lose something. I think there is something precious about Purcellville. I've lived here for 30 years and I've seen a lot of changes, and I particularly do not want Hatcher Avenue to be turned into an apartment with asphalt. I don't know that there are more people who are against it than for it, because I don't think that anyone has counted for people who if you simply ask them if you want to save the historic districts in town whether they would say yes or no. These people here all have an interest in what they're saying so there could be lots of people out there who feel the way I do.

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Leigh Anne Titterington, 150 S 12TH ST

At the time I purchased my home I was aware that some homes in Purcellville were designated as historic and thus fell under specific zoning regulations. I researched the status of my potential home and the fact that it was not a historic property was part of the consideration while making my purchase decision. I am not opposed to the designation of an entire zone of our town as historic. I am not opposed to protecting the stylistic nature of historic towns.

[AUDIBILITY PROBLEMS. Kim Bandy is trying to get a statement from the owner.] I do believe that this approach to the stated goals of this effort is completely illogical; it will not result

in the intended protection. [Would like to hear more of this argument](#). If it is the case that certain construction or demolition on my property would negatively impact the overall value and/or aesthetic of the Town, so would any property work or demolition to the properties surrounding those that have been picked out and chosen for this zoning.

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Casey Chapman, 205 HIRST RD

Earlier I mentioned 141,7151 and 161 N. Hatcher Ave. Later, an individual said they would not like to see anything built 702o2n.8>.8 Hatcher Ave. I did propose the construction of a three-story apartment building that was approved by the BAR. Where does that stand -- it stands still. There is nothing happening. I do have demolition permits for those houses. That isn't a hidden thing - it is something that exists. I would like to do whatever I chose with those houses, whether I keep them or take them down. That should should be mine - and if anyone would like to take that choice away, they're welcome to pay for it. If the town would like to control all the historic properties, it should purchase them. Regarding an individual who spoke earlier, I know for a fact she received over a million dollars from the Town of Purcellville. Have I? The Town preserved her property. But not Hatcher. That's a slippery slope. For someone to make statements like that, that's not right and let me put on the record that it's inappropriate, and if they did receive money, and it was in exchange for protecting their property.

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Doreen C. Hope, 521 S 11TH STREET

I believe there are people on the phone who need the opportunity to speak.

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Martin L. Cook Jr, 521 S 11TH STREET

I am speaking on behalf of myself and my co-owners. Your cover letter written by Mr. Dooley dated Nov. 8th, 2021 proposed changes regarding the various draft articles: exclude the ancillary structures like a shed, will require Town consent prior to demolition. Unfortunately, Article 14B fails to provide a definition of ancillary structures. Now why is this important? Because Article 14B seeks to protect the Town's historic resources from demolition, but if the entire parcel of land is listed as a historic resource, then it is imperative that an ancillary be clearly defined to properly exclude unintended structures from the Article 14B demolition process. Article 14B references Article 14C which in turn references National Register Bulletin 15. Article 14B Section 3 fails to define categories of historic properties according to National Register Bulletin 15. It seeks to limit the definitions more than what is defined by the Federally-issued National Register Bulletin 15. So, in other words, it's binary; you need to either follow Bulletin 15 or not. Article 14C has issues as drafted because it requires the land owner to sell the historic resource but allows the land owner to keep the underlying land. So this does not allow a way for the purchaser of a historic structure to actually get to the structure without crossing land that he or

she does not own or even have a right to access. The public, especially those whose properties are impacted by this HPOZ, have not been informed of the benefits that have been placed on the HPOZ other than the Town's intent to protect certain structures, historical in nature, from being demolished. Finally, as Mr. Ducharme mentioned, since the properties identified in the HPOZ are not included in the Town's designated historic district, property owners in the HPOZ should be able to opt into the HPOZ versus being forced into it by the Town. In summary, Articles 14A, 14B and 14C as they stand should be rejected as they would not sustain legal challenge.

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Alyce Martin, 126 S 29TH ST

The houses in the new historic district need to be relooked at. I just happened to look ours up as well as or neighbor's house that was excluded; it was excluded in 2006 when the study was done because it wasn't 50 old at that time, it is older than 50 years now - and that's a discrimination against those of us in the historic that we are being named while our neighbor who meets the same qualification is not. They didn't look at anything else about the structure because at that point in time it was not 50 years old therefore they didn't even look at it. Every house in this district has to be relooked at for its age because they were just marked as not historic, not 50 years old. I think you'll have a lot more public opinion when other people find out they will fall into this, and I also think you do need a clause that saying that every year houses that will come on line as they reach 50 years old. It can't just be one and done. It has to be across every single year this town goes forward.

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Nedim Ogleman, Commissioner

I just wrote down a couple of things that I think are important. I just wanted to go through those, but I am happy to speak about any of the issues people want if I'm forgetting or neglecting something. One thing I will say is, on this general notion of spot zoning and these legal issues, we are completely focused on doing all of this the way the process in the State of Virginia works. Precisely to avoid something like sot zoning, we did not pick an arbitrary list, we did not make any decisions about what was called historical and what wasn't. We just used what the State of Virginia and the nation say is historic, and the State of Virginia and the nation don't say every time something is 50 years old that it comes on line as a historic property. If the town had the resources and if the State had the resources, I think they could try to monitor that kind of thing, but they don't do that. What we have is these snapshots, and that's actually all that those records in Department of Historic Resources for Virginia and the National Register of Historic Places have. On this notion about demolition by neglect, Article 14B should explicitly not talk about demolition by neglect, and that goes to this other issue about what is an accessory structure. Essentially, we've said that the only structure on a property that is listed as being historical that this Article 14B would discourage the demolition of is the primary resource. So if it's a single family detached residential district, e.g. R-2, then only the residential property - if it's a business district, only that business - so any other structure would be accessory structure, whether it's a

barn, a springhouse, a garage, a shed, an outhouse, anything like that, no matter if it was registered or not, there would be no limits on demolishing those things in this new district.

These issues about this somehow being a taking or being outside of the zoning ordinance, this idea that needs to be done through zoning, this is zoning and this is the process. We go through a Comprehensive Plan, there is citizen input into that Comprehensive Plan, then the people who were elected to represent the citizens and vote on the Comprehensive Plan, and Comprehensive Plan passed by a vote of six of the town councilmembers for and one against, and those were the people who were elected to make those decisions. And there were multiple discussions in the Comprehensive Plan process, there was a consultant hired to gather that information and compile it. It was a five-year process. Comprehensive plans are aspirational documents that get operationalized through conducting zoning. We're proposing zoning and having these public hearings and that's the process we're in. And so on this issue of citizen input, yes, it is the most important thing and it's the biggest question. And certainly - we don't have referenda in this State of Virginia, they're not allowed - but if somebody can come and get a representative something that shows what people voted on, how they voted, or representatives and how those representatives voted, all of that is just wrong, then we needed to hear that. That is the big question. Don't want to do anything that goes against the majority of citizen will. If I can know what that majority of citizen will is, that would be great. I have what I have to go on,

Somebody asked where this was specifically in the Comprehensive Plan, it is on page 87. "Consider amending the Town's historic zoning overlay district to be more inclusive of all historically contributing structures even in non-contiguous areas and entertain recommendations from relevant entities to expand recognition of historic assets within Town."

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Stan Milan, Council Liaison

I would like to add to what Commissioner Ogelman stated. I'm not sure if everyone in the audience has had the opportunity to read through the Comp Plan. Every meeting we've had, that is our reference, that is what we use to guide us through this process. Several years ago they had citizens' input and that's what framed the Comp Plan. Citizens came in and stated how they wanted the town to be, these are the things that we need to see, this is what we want, and the final product was the Comp Plan that we approved in June of last year. Now, like Commissioner Ogelman said, we're in the process of implementing that. And I'm not sure that people in the audience were part of the citizen review during the Comp Plan creation, so I would recommend if you have the opportunity to read through the Comp Plan and see what it says - we're staying within that framework.

The comments that were made about the heavy-handedness and overreach of the government during our previous meeting, we took those inputs and toned down the ordinance that was presented then to what we have now. We did not go as excessively hard as people thought we had in the beginning, and when they were here to get an explanation of what the intent and the purpose, then people's attitudes and positions changed the same as now. Please read the Comp

Plan and look through it and see what your concerns are; it will address it. We did take citizens input and revise the ordinance to what you see now based on citizens input from the last meeting.

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Chip Paciulli, Commissioner

I just jotted down a few notes and I go back and forth on this issue. I do not support each decision that was made by this group but I do very much enjoy the feel of Purcellville. That's why I moved here. I grew up in Vienna, VA 1950 to 1965 and it was a walkable town, and here I was six years old walking to the local candy store. It was a different time, but this town feels somewhat the same to me - the important aspects of it - and if you go to Vienna now, they are not Tysons Corner but they are clearly highly developed with the subdivisions that were being built when I was growing up there and played baseball in their parks and all those types of things. But all those houses are gone and whether it was a 1,000 square-foot house or 2,000 square-foot house, they're all 5,000 square-foot houses now. And yes, people should have choices; there's a hard line in there somewhere, but it's lost that feel. It is intense. I was driving through there today down a street that I used to drive on when I was in high school and its utterly amazing how the area has changed. I think that some version of the direction that we're going in, like I said I don't like every aspect of every part of it, but I think the goal is important to this town.

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Boo Bennett, Commission, Vice Chair

The planning commissioners live in the town. We don't own property and live elsewhere; we live in the town. I think that's important. Many of us have lived here for more than couple of decades, and we moved here for a reason - kind of to take on what Commissioner Paciulli was saying. It's emotional, what he said is true. I lived near Vienna and I saw that, and I'm glad that people came here tonight, I appreciate that. I do want to point out that we mailed to nearly 400 people. There are a lot of people who aren't here. I think they like Purcellville just the way it is. They would have shown up as well.

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Nan Forbes, Commission Chair

When we close the public hearing, I think it would be a good idea that we sit down here and have an open conversation. It'll still be on the record but I think we can have more give and take than in the more formal process of the public hearing. I wanted to make a couple of observations and piggyback on something Commissioner Bennet said, and this is I've lived here for a really long time. It depends how you count how long it is. I live in my grandmother's house; when I was 2 I went to nursery school across the street. I live on Main Street. I think it's a lodge now but it used to be the old Episcopal church, so I'm down near where Orchard is. So either I have lived here

for 67 or 68 years. My husband and I bought my house in Purcellville; we moved in in 1983. This town has changed a lot in the last 40 years; it's changed a lot in the last 65 years.

I also think that everyone who takes their time - this is immensely time-consuming and it's a gift to us that you are willing to come and talk to us and take your time out of a busy rainy night and tell us what you think. It's really important. I want to tell you that we listen. There are areas where we may not agree, but I think that we all agree that we like it here or we wouldn't live here, and that there are things in this town that are valuable to us, and the question is how do we ... what is the best approach to try to keep the things that we like and to emphasize the things that we like. I will ask most eagerly for your ideas and it's not to tell us what you don't like; tell us what you do like. And if we're not doing it right, tell us how to do it better. Give us your ideas so we can use that in order to do the work that we do. The task that we've been given is to take this Comprehensive Plan and to try to revise the zoning ordinance in order to comport with what the Comprehensive Plan says and that's what this effort is all about: to try to comport with the Comp Plan. As Commissioner Ogelman said, the Comp Plan was arrived at by doing a really deep dive into various citizen groups in the town and trying to get as much feedback as possible as what citizens wanted. We're trying to do that as part of the continuing process.

One of the other things that I will tell you that has struck me as I listened to, I think, that last latter there were references as to whether there was due process, references as to whether or not the language in the proposed ordinance was tracking the Virginia law. There is a Virginia Code section, it's 15.2 2306, that creates the legal background under which we are trying to devise this ordinance. So it didn't come out of the clear blue sky, it came out of the Virginia code, and so some of the numbers and some of the timelines and things of that nature are actually derived based on the Virginia law.

The only other thing that I will tell you is that we received the message loud and clear from many speakers who came and spoke to us before that people did not want to be told whether they could improve their property, what color they could paint their property, what kind of roof they put on, whether they could do additions, improvements, any of that, people were very clear: We don't want you tell us any of that, we don't want to live in an HOA - we heard that very clearly and that's why a lot of the revisions were made to the ordinance. Frankly, the ordinance never did say that there was going to be control over what paint and what have you, but it was revised to reemphasize that, to make it very clear that nobody in the town is going to be running around checking to see whether or not you are painting your house purple or hot pink or sprinkling sprinkles all over it. Nobody has any desire to do that. The only focus of this is to have a review process before something is torn down. That's it. It's a review process. It doesn't even ultimately prevent demolition. But it does require a review process and options, so that is not the first go to, which is what we think is consistent with the Comprehensive Plan. But if there's a way we can make it better or do it differently, were open to your ideas. That's why we're here.

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PUBLIC HEARING CLOSED.

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Alyce Martin: The National Register's criteria for putting a house on a historic list is not just the age, if they look at age and integrity, the property is old enough to be considered historic, generally at least 50 years old, and does it still look much the way it did in the past. Significance: is the property associated with events, activities or developments that were important in the past, with the lives of people who were important in the past, with significant architectural history, landscape history or engineering achievements. Does it have the potential to yield information through archeological investigation about our past. What that says to me is that we only looked at 50 years or older, not does it really have significant value as far as historic reasons where someone famous lived there. There was a woman who soke who said out house was the corner of the town, I understand that; that's a historic property. But just by saying this area, 50 years or older, that doesn't mean historic, especially by the National Register.

Nan Forbes: Is the underlying question was the criteria that were used by the entities that designated these as having historic value, what were the criteria that were used by these entities to designate these properties as having historic value?

Alyce Martin: Right, what other criteria besides age, because I looked at ours and it says heavily reconstructed which is true. Does it look significantly like what it did before - no.

Nedim Ogelman: What happened was History Matters LLC, a company hired by the town, did a survey back in 2006 based on all of those criteria that you were just describing. It's an intensive process' they don't do it all the time, but they did this snapshot. And based on that snapshot, they submitted that to the Virginia Department of Historic Resources and then it went to the National Registry of Historic Places. What they basically said was on all of those dimensions that you just read off, the archeology, integrity, they established a whole cluster of buildings saying this represents a succession of architectural styles in a small town in America, and they said we are not designating individual properties, we are designating this whole district, and somehow these properties contribute to this district because they have some architectural features or style or the best representative of like a rambler from the 50's. The period go from the Revolutionary War through the 1960s or 70s. And then they don't go back and investigate whether a house has been torn down. So I agree with you in that respect. And we tried to do our best to look at those things ...

Alyce Martin: It does specifically say age is not the only factor you have to look at.

Nedim Ogelman: We didn't look at age, we didn't look at any of those criteria. What we did was to take what the National Registry of Historic Places and the Virginia Department of Historic Resources said, they listed as contributing. We didn't make any of those decisions because we don't have the expertise.

Alyce Martin: Right, so because we have one contributing factor, we're on a list. Our foundation is 100 hears old but the rest of the house is not necessarily. So for my house, what other significance is brought forward other than age because it does have to meet multiple criteria to be here. I hear you saying the sweeping of the study took some things in, but in reading the book, ...

Nedim Ogelman: I will give my personal opinion on this issue and I will defer to Don Dooley. I do think if a property doesn't have the integrity that it had to get on the list, then appealing to Virginia Department of Historic Resources or to the National Registry ...

Alyce Martin: But I'm not on that list.

Nedim Ogelman: If you're not on that list, you should not be on our list. The only reason that any property should be on our list is because it is contributing to the historically listed district or it is individually listed. And the only individually listed properties that I'm aware of are the Locust grove house, the train station, and the tabernacle. Everything else is in town listed because it's part of the district, and if we've gotten that wrong, if you are not listed, then that is an error that we made.

Alyce Martin: In the Virginia National register, that's what you said ...

Nedim Ogelman: In the Virginia Register and in the National Register. Everything that's in the Virginia Register is also in the National Register.

Man in beige hat: She got there by some arbitrary company coming in, this LLC, and doing its evaluation and then promoting our property as historical to the Virginia and Federal register..

Nedim Ogelman: I will say I don't think they're arbitrary. They were hired because they are experts on all of the things that we were just talking about ...

Man in beige hat: We should have had an option to opt out of that. We shouldn't have been evaluated and promoted onto that registry without our permission. I don't want to be on that register.

Nan Forbes: It was done as a town-wide survey back in 2006.

Man in beige hat: OK. When the survey was completed, we should have been consulted and asked if we wanted to be put on the register.

Nan Forbes: That may be your wish but I don't know that that was an option.

Nedim Ogelman: Just looking through the records, I know there were people who wrote letters in at the time, and I only know this because they're in this report, and they said I don't want you including my house in the Virginia Department of Historic Resources, they negotiated and I don't think they're in there. I don't know how they did that, it's just what I'm seeing in those letters. But some people said I don't want my house included in this.

Man in beige hat: OK, so I can retroactively go back and ask to have my house removed from this registry?

Nedim Ogelman: I suspect that you can. I think there are probably cases in town, where unbeknownst to us, a house that was there was demolished, there's a new house there, but

Man in beige hat: For all intents and purposes, my house was demolished. It was substantially remodeled ...

Nedim Ogelman: To me those properties have lost their historic integrity and so they shouldn't be on there. I know there are some properties that are from ... the original property was from the 19th century ... but in that survey, the person who surveyed it said they'd done so much change to the front of the house that it's lost integrity so we will not include it as contributing to this district.

Man in beige hat: There's got to be a process to be removed from this registry.

Nedim Ogelman: The only thing the Town Attorney told us is that because this is zoning, people cannot opt out of that. But I think if someone shows that their house is not ...

Boo Bennett: The only thing you'd have to deal with is if you wanted to knock down your home, you'd have to go through a process. I think the Chair made that point. So if that's the case, what's your biggest fear of being part of it?

Man in beige hat: Someone telling me what I can do with my property.

Alyce Martin: Why is our property in the district?

Don Dooley: Your property at the time it was surveyed in 2006 was identified as a contributor to the Purcellville historic district. To understand why it's a contributor, you have to read the context statement that explains the history and the background and what made these buildings come to life. Why were they built? What was going on in the world at the time? What was it about your property or the district that made it significant for being listed in the National Register? The National Register identified four basic criteria. Fundamentally, under criterion A broad patterns of history because it talks about Purcellville becoming an important center of commercial commerce in Western Loudoun County and because, under criterion C, the buildings represent buildings and structures that are considered architectural significant and have higher artistic value, or what the Register says is that individual resources themselves may not have individual components that are not distinctive but they contribute to the overall distinction of the district. So the building has to retain integrity and the concept of integrity goes well beyond this meeting, but the crash course of it is that there are seven basic components that make up the integrity of a building: location, design, setting, feeling, association, materials and workmanship. Fundamentally it has to retain visual qualities, locational qualities that enable that resource to convey its significance or historicity to an observer who understands what it is they're looking for.

Man in beige hat: They're subject to the interpretations of that evaluator.

Don Dooley: Yes, the evaluators doing this, like myself, meet the Secretary of the Interior's professional qualifications in history, architectural history, and they go out and do these surveys. There's training, education and experience to be qualified. There are people out

there who are trained to do this and so that's how they're making these judgements. It's a judgement call the same way a judgment call can be made about this building, is it pretty, does it have all of the bells and whistles that the citizens want to say it is a nice building and acceptable for the level of quality we want for the community. But the standards that are set for determining the integrity of a resource are based on the concept of integrity and there are more objective standards because for preservation it's based on research and based on understanding of what you're looking for. You have to look at the integrity criteria and ask if there is sufficient integrity for that building to convey its historic significance? You don't have to meet all seven criteria, but if, for example, you're looking at a building and you're going to say that building is architecturally significant, you'd be looking at each criterion. There are going to be more criteria in the integrity that are going to be more important than other things. Like the location might be less important when considering a building's architectural significance than if it was associated with an individual who is historically significant - that's a cultural context.

Just to add to the question about why a property is in a district, buildings do change over time and modifications are made to buildings. This survey was done in 2006; it's simply a snapshot of what was there at that time and a decision was made on was a building eligible based on the context statement, did it meet its integrity thresholds for significance. At that time, the decision was yes - your house did, your shed did not. At time goes on, buildings evolve. If somebody was to go out there today and resurvey the entire town the way it was done, there will likely be properties that have lose integrity and so they wouldn't be on the list this time. The town's presumption is that there are not further changes unless the town becomes aware of them, then we can look at things like if somebody has demolished a building and that resource is no longer there, then it should be removed. Or if there's a demonstration that the town wants to remove it because it's clearly shown that the building is not the same building that was reviewed 15 years ago. But the town does not have the authority to remove resources that are on the Virginia Landmarks Register or the National Register. Those are separate programs that we don't have the authority to do, not could the State or the National Register if the town had its own register; the town does not have a resource list. But to make those changes, you would have to go to the Department of Historic Resources and ask them to open up the survey and have everything reevaluated again. I will tell you that they're busy, like every place they're short staffed, it's not a process that would happen in the immediate timeframe.

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Casey Chapman: If what Don is saying is true, they just won't come out and do another survey at random or an audit of contributing vs. non-contributing structures at any time?

Don Dooley: Not typically, unless there's a reason for them to do it.

Casey Chapman: From my understanding, we would have to request a survey to be done or request them to come out to do an update.

Nan Forbes: By "we" do you mean the town would have the whole town surveyed or individual properties?

Casey Chapman: The town would need to reach out to them and say we'd like you to come ack out and do a resurvey, update the survey.

Nan Forbes: I don't think they'd come without an invitation.

Casey Chapman: They wouldn't come without an invitation, that's the point.

Nedim Ogelman: I think we would need to hire somebody like History Matters LLC or another company to do the survey and then - it's a supply push rather than a demand pull from the National Registry.

Casey Chapman: However it's gone about, the town would seem to have no problem hiring consultants and people to do third party activities, so something of this magnitude that affects thus much real estate value, this is a big deal. This is millions, tens of millions of dollars arguably, and I don't even know what the cap is of what this really net affects. It seems like a fee of some kind that would be paid to a third party to do a new updated survey to see where these properties land; and how it affects individuals like those who have come here tonight but have upgrades to their hoses, and what would drop off and add on. It isn't a ridiculous notion to entertain, isn't a ridiculous request to be made, and to see how it plays out. Just because it won't happen quickly doesn't mean it's not a good idea. I think it's a valid proposal.

Nedim Ogelman: I think two things. Individual property owners could always go and appeal to the Virginia Department of Historic Resources or to the National Registry and say this needs to be updated. We did go out and observe the resources enough to say that as of the list, these are the resources in town. After that, I'll go back to saying our Comprehensive Plan, the ways people voted, all of that, they said they wanted to preserve these things and if we get a clear signal that this is not what people want, then we should change, we should pivot. But we need the clear signal.

Casey Chapman: I think a clear signal would be best determined by having clear information provided to them and a survey from 2006 - which recently I brought up a town traffic study that is currently in place, the town transportation plan that is currently in place, and I was that it was outdated and we're not necessarily following it. That's not true - you have to follow it because that's what in place, that's your guideline, that is it. Until you change it, you've got to go by it.

Nedim Ogelman: It's in the Comprehensive Plan that it asks that it be updated.

Casey Chapman: And the Comprehensive Plan is an aspirational document, as we've said. It can be interpreted in different ways.

Nedim Ogelman: That's right. So for right now, that is the reference. The ordinance is in the ordinance. But we're in the process of updating the ordinance and so if there's something in the transportation plan that's already been done, then that's right; it's in the ordinance.

Casey Chapman: I just want it clear that the properties that I own, I don't think would change status of being contributing or non-contributing. What I'm saying about getting the survey redone, I'm not saying oh, maybe they'll look at mine and have a change of heart. No, I think they'll probably still land in the same place, but that's not the point. The point here is there are a lot of houses that are in this new zoning district, the HPOZ, that have had modifications made to them, that have been updated, that have been changed since 2006 and a new look might be warranted. That's all I'm saying. And given that this affects so much personal property that amounts to so much in real estate value, net worth, that it needs to be taken extremely seriously. This is affecting people right where it hits them, right in the wallet.

Boo Bennett: Can you make that concrete? We're not changing anything. What is this going to cost you? We answered those questions - they were brought up in the summer, in July. People asked is my insurance going up, will I be able to sell my house, etc., and we answered those in our subsequent meetings. A lot of that stuff is just opinion. Do you have facts? We're not saying that you have to do this. We're not doing a preservation situation where we're saying that you have to use these certain materials, you can only use this color or that color, we're not doing any of that. You're dramatizing it saying that it's going to cost.

Casey Chapman: I don't agree with that. I think that's an inappropriate statement.

Boo Bennett: Excuse me? OK, you seem to be elevating your comments up and up, and yes, I have to articulate it some how and it seems a little dramatic and I'm just saying ...

Casey Chapman: What's dramatic is taking away people's personal property rights ...

Boo Bennett: We are not doing that.

Casey Chapman: If you want to see how I speak to the value, and how I can state that as a fact, if you take a 1,000 square foot house and tear it down and you build a 3,000 square foot house ...

Boo Bennett: We're not saying you can't do that. We're saying you have to go through a process because you know why? There are other people that live on the street. They're your neighbors. And just like you think the town impacts you, you and me can impact our neighbors. And so we go through a process, that's what we're doing tonight, and we extend that same opportunity to you and your neighbors to go through a process. That's what the ordinance does. That's what tax law does, that's what all kinds of law does.

Casey Chapman: And that's what real estate does.

Boo Bennett: It's not just real estate. It's lots of things.

Casey Chapman: Sure, there is a line to be drawn. It's a property line. It's been drawn.

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Nan Forbes: I think opinions have been stated and questions have been asked. I have a question. Apparently and email came in from Ami Neiberger. What I need to ascertain is whether or not she wishes to speak again or if she wishes to have this email that came in at 8:30 PM read into the record. It looks on that face of it that much of what you said is what was in this email.

Ami Neiberger: I am fine with this email not being read into the record. I did put in the email some comments. For example, if you look at the historic guidelines in Winchester, they have a very large historic district and their guidelines offer a lot of support to property owners about education, about how to maintain historic buildings. They also offer advice on grants and loans and incentives. They also point out that a local historic can also have local tax abatements provided, and there's nothing like that in this ordinance. So I think there are some things that can be done to help the town reach the goal. The goal is to preserve the historic integrity of the town but that could educate homeowners about how to maintain their properties but not in a punitive way. I think there are some things that can be done to encourage that, whether its not through this zoning process but perhaps in other ways the town can look at to achieve this goal of maintaining that character. I personally do understand wanting to have a process around demolition of historic structures. I think it's very valid what constitutes a historic structure when so many people around me are questioning why their homes are on this list. I don't question it. I bought a house, I knew it was old, I knew it was historic. But many people did feel, I think, blindsided by this and I think there's got to be some way to help rectify some of this and also to just positively encourage people to preserve some of these structures rather than take a punitive approach, which is what I feel like some of this is as much as I'm empathetic to the idea that we should have some sort of process in place for demolition.

Nedim Ogelman: These things about providing advice and resources, financial and other kinds of resources - we've talked about this significantly. There's this chicken and egg problem with getting these other resources, Another thing that it says in the Comprehensive Plan is that we should try to join the Certified Local Government program, and that program provides some resources for a resurvey and some things like that. However, the town with its current district and potentially with introducing this new district because we're trying to do it with this light touch, it's currently not eligible. They tried to make it eligible when they made the historic corridor overlay district and the State said no, the town is not eligible for the Certified Local Government, because I think they were not protecting a wide enough area, like it was a breadth issue. But we could still have a depth issue even if we do this because we're trying to do this light touch. Without that Certified Local Government and being sensitive to people's taxes and things like that, we're not able to find the resources to support that kind of education and rebuilding. But I will say that when you mentioned Winchester, they are eligible for those resources in part because they have these historic districts; they're preserving buildings.

Stan Milan: The reason we're not a Certified Local Government is because we don't have the qualifications that are required to meet the criteria. I had asked Staff to look at this last year; we had applied for the Certified Local Government program, but weren't given it because we need more certifications, more qualified people to be in that category.

Nan Forbes: So unless we have a historic district that contains more regulations of certain areas, we won't qualify for Certified Local Government and then we won't be eligible for various grants, loans, programs, things of that nature. Is that what I'm hearing?

Nedim Ogelman: At least the ones they offer. I think we're always fishing to find money without dipping into our taxpayer's pockets. Boo made a really important point. What we got back from the Town Attorney when we were looking to just pass a demolition ordinance was that the State's laws do not allow us to do that.

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Nan Forbes: Unless it's under the code section that I mentioned earlier which is the Virginia statute 15.2306; unless it's within a historic district.

Nedim Ogelman: So you need the historic district to discourage demolition.

Nan Forbes: So we need the historic district in order to permit legislation that says you can't put in legislation that creates a process prior to demolition. It should be framed that way. It's not really anti-demolition. It's a process that you have to go through before there can be a demolition. In order to do that, it has to be within a historic district or something that's called a historic district and so we were trying to create a historic district and the phrase that's been used was with the lightest possible touch. Most historic districts that you see when you look at other communities regulate far more. They're much broader than anything we've looked at. But we listened to people who came and spoke and said we don't want any of that, we don't want to be told anything about colors, styles, materials, etc. And so all of that was taken out and so the only thing that remained is the essence of this proposed ordinance, this process for preventing demolition, but it doesn't have anything to do with any other aspect of what people want to do with their property assuming it meets the other zoning regulations.

Scott Warner: So in order to do the demolition, you have to have this process approved? Is that what you're proposing.

Nan Forbes: In order to have an ordinance that contains a process before a historic property can be demolished it has to fall within the umbrella of § 15.2 2306 which the preservation of architectural sites ...

Scott Warner: For our properties, right now, we don't fall within that umbrella.

Boo Bennett: There's no process at all.

Scott Warner: Correct.

Nan Forbes: Except in the historic corridor - this historic corridor exists. Everything that you see in the red and white hatching up and down Main Street.

Scott Warner: I understand all of that. What was the purpose of the survey that was done in 2006?

Nedim Ogelman: The purpose of that survey was to inventory or establish what buildings would contribute to this historic district and why. Before they had any ordinance, I think.

Scott Warner: What resulted from that survey?

Nedim Ogelman: They identified the set of buildings in town that are in blue and yellow on that map that they said contribute to the historic character and are worthy of preserving as an asset to the State and to the nation.

Don Dooley: The nearest I can tell you is that the earlier Comp Plans of the town identified historic preservation as a recommended goal of the town, to identify what makes Purcellville ... what resources contributed to the significance of Purcellville, to recognize the town's history. I wasn't here at the time, but from that goal the survey to survey the town was born and from that came the Purcellville Historic District.

[AUDIO DROPOUT]

Scott Warner: ... about 400 surveys have been sent out and everybody feels OK with this, they like being here and they're OK with it. I hope you're not so naive to think that that's actually the case. There were about ten people who spoke against this process tonight and one who was in agreement with it - doesn't mean that the other 389 people out there agree with it.

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Stan Milan: I would recommend that everyone take to opportunity to read the Comp Plan because that seems like where there a disconnect from what we're saying or what we're trying to do, and its available through the town web site,

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Nan Forbes: I am tasked with providing a summary and next steps. The summary I can give is it's always important and a pleasure to meet with people from the town and to know who you are and to connect names with faces and frankly to have conversations. It takes a lot of effort to come to a night meeting like this and we know that and appreciate it, so thank you all very, very much for coming and speaking and raising questions and making us aware of what your concerns are. It's immensely valuable and we're trying really hard to get it right, so without that input, we'd fail. We have heard from a number of people today by letter and email: Deuk Yeon, Beverly Chiasson, Randy Broaddus, Ami Neiberger, and Doreen Hope, , and in person or by phone: Terry Martin, Alyce Martin, Scott Warner, Casey Chapman, Brian Ducharme, Gordon Holsinger, Uta Brown, Leigh Anne Titterington, and Martin L. Cook. A lot of people who came today expressed concerns and opposition to this. I will note that I think that I heard everyone clearly and I think that my colleagues and I will certainly try to make note of what we were told

and those remarks will be forwarded to the Town Council, because it is ultimately we who may make recommendations but it is the Town Council who decides.

In terms of next steps, our next meeting on December 2nd and in the meantime we'll be considering the things we heard today, to the extent that we think any changes need to be made we'll be making those recommendations, we'll be collating a list of all the comments we've heard today and at the December 2nd meeting it is my expectation that there will be a resolution to forward both the comments and the proposed legislation to the Town Council for their review, their comment and ultimate determination.

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[ADJOURNMENT]

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Hays, Diana

From: David Yeon <rainbowyeon@hotmail.com>
Sent: Monday, February 14, 2022 10:10 PM
To: Dooley, Don; Planning Commission
Subject: Stop Making HPOZ Codes Against Our Interests!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Don Dooley and Planning Commission Members,

My family members are very worried, frustrated, and afraid of new zoning codes for HPOZ because of negative effects against our interests with more restrictions and limitations. Therefore, please stop imposing additional burdens to my family and abolish all HPOZ zoning efforts. Please include our objections in the 2/22/2022 public hearing and decision-making and delete our property at 140 S. 20th Street, Purcellville, VA 20132 from this HPOZ promptly. You have no right to control our interests and property against our will.

Thank you for counting our objections and deleting our property from this HPOZ.

Members of Rainbow Realty & Investment, Inc. Kyong and Deuk Yeon, 703-909-2161 and 703-909-8404

Hays, Diana

From: DEUK YEON <deukyeon@comcast.net>
Sent: Monday, February 14, 2022 9:45 PM
To: Dooley, Don; Planning Commission
Cc: Deuk Yeon
Subject: Objection to HPOZ Amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

How are you?

I oppose your HPOZ zoning codes again. Please count my objection in the 2/22/2022 public hearing and decision-making and delete my property at 140 S. 20th Street, Purcellville, VA 20132 from this HPOZ.

Thank you for hearing my objection and deleting my property from this HPOZ.

Owner Deuk Yeon, 703-909-8404