



**MINUTES OF THE  
HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD**

**Wednesday, February 21, 2024, 6:30 PM**

*This was a hybrid public meeting held both in person and through electronic communication means.*

**MEMBERS PRESENT:** Omari Davis, Chair  
Andrew Fackler  
Gray Handley  
Gerald Laporte  
Rebecca Meyer (arrived 6:42 pm)  
Nan Dreher  
Joan Lawrence  
Andrew Wenchel  
Dick Woodruff

**VIRTUAL MEMBERS:** Carmela Hamm (Medical, Henrico, VA.)

**MEMBERS EXCUSED:** Robert Dudka  
Alex Foster  
Kaydee Myers, Vice Chair  
Mark Turnbull

**STAFF PRESENT:** Lorin Farris, Historic Preservation Principal Planner  
Mical Tawney, Historic Preservation Associate Planner

**CALL TO ORDER & ROLL CALL**

The Chair called the meeting to order. Ms. Farris called the roll and determined there was a quorum. The Chair welcomed the newest HALRB member, Ms. Nan Dreher. Ms. Dreher explained that she recently moved to Arlington from Minnesota, that she taught high school history where she lived in Minneapolis, and she had served on the Minneapolis Historic Preservation Board.

**EXPLANATION OF PUBLIC HEARING PROCEDURES**

The Chair explained the in-person and electronic Historical Affairs and Landmark Review Board (HALRB) public hearing procedures. Chair Davis described the logistics of participating virtually in the hybrid meeting via the Microsoft Teams platform and/or the call-in number.

**APPROVAL OF JANUARY 2024 MEETING MINUTES**

The Chair asked for any comments on the draft January 17, 2024, meeting minutes. Upon hearing none, Mr. Woodruff moved to approve the January minutes and Mr. Wenchel seconded the motion. Ms. Farris called the roll and when it came to Ms. Dreher and Ms. Hamm to vote, they both acknowledged that they needed to abstain from voting because they had not attended the January HALRB meeting. Mr. Laporte questioned why the Historic Preservation Program (HPP) staff requested that HALRB members abstain from voting. The HPP staff explained that if someone was not at the previous meeting, they would not be able to determine if the minutes were accurate. Mr. Laporte questioned this approach to members

abstaining from approving the minutes, and the HPP staff replied they would check on the procedural reasoning and report back. Ms. Farris completed the roll call and the motion passed 6-0-3, with Ms. Dreher, Ms. Hamm, and Ms. Lawrence abstaining; Ms. Meyer had not yet arrived.

## **PUBLIC HEARING FOR CERTIFICATES OF APPROPRIATENESS (CoAs)**

### **CoA Discussion Agenda Item #1: CoA 24-03, 4311 N. Old Glebe Road, Fort Ethan Allen Trench**

Prior to Ms. Tawney providing the staff report, she familiarized the HALRB with the location of the Fort Ethan Allen Trench by pointing it out on an aerial map during the meeting. She explained that Fort Ethan Allen and the trench are two separate local historic districts (LHDs). Ms. Tawney provided the project background:

Fort Ethan Allen Trench, a part of Fort Ethan Allen, was built in September 1861. The man-made earthwork trench was an essential part of the outer protection fortifications for Fort Ethan Allen, a large bastion-style fort. Fort Ethan Allen Trench is located to the southwest of the fort. The Fort Ethan Allen Trench was designated a LHD in 1995 which was after Fort Ethan Allen, which became a LHD in 1978. It is not entirely clear why the Trench was not included in the original Fort Ethan Allen LHD boundaries, but they are technically two separate LHD sites. It was around 2003 that a Civil War Trails (CWT) marker was installed at Fort Ethan Allen Trench.

The current proposal is for the retroactive removal of the CWT [Civil War Trails] marker located at Fort Ethan Allen Trench. In June 2023, the HALRB approved CoA 23-14 for the relocation of this CWT marker to a new location at Fort Ethan Allen and to change the interpretation of that marker to tell the story of the 107th United States Colored Troops (USCT) in Arlington. CWT staff members removed the marker in response to the approval of that CoA. Given that Fort Ethan Allen Trench is a separate LHD from Fort Ethan Allen, which CoA 23-14 was attributed to, a separate CoA should have been issued at the time to approve the removal of the marker from Fort Ethan Allen Trench.

The DRC reviewed the subject application at its February 7, 2024, hybrid meeting. The commissioners did not have any issues or questions and placed the item on the Consent Agenda for the February 21, 2024, HALRB hybrid public hearing. Since then, a member of the public submitted a comment about this item which is why the item is on the discussion agenda.

The HPP staff recommends approval of this application as submitted. The removal and relocation of the marker has not impacted the historic integrity of the site. As such, the project meets the intent of Standard #10 of *The Secretary of the Interior's Standards for Rehabilitation*.

Next, Ms. Tawney invited Mr. John McNair, of the Department of Parks and Recreation (DPR) and the Park Historian for Fort C.F. Smith Park, to provide further comment about the project. Mr. McNair mentioned that this historic marker project was on its third review by the HALRB. He offered to answer any questions about the marker, or why DPR proposed the new location. Once Mr. McNair concluded his comments, Ms. Tawney mentioned that Dr. Bernie Berne had submitted a public comment to the HALRB on February 20, 2024. Dr. Berne was the only public speaker for this item, and he reiterated some of his written comments; his submitted public comment for the record is as follows:

Please do not approve this CoA. The CWT sign was the only historic marker that was in or near the Fort Ethan Allen Trench Historic District. The Department of Parks and Recreation (DPR) has illegally removed the sign from the Historic District without approval of a CoA that might have permitted this. Further, the DPR has not agreed to replace the sign with any other marker. Therefore, if you approve the CoA, the DPR will not replace or reinstall the sign and will leave the trench and Historic District without any identification. Nothing will educate the public about the features, purpose and functions of the trench and its earthworks. Nothing will discourage people from running, walking, cycling and playing in and around those historic resources. The DPR has never protected those resources with fencing, chains, or ropes. People will unknowingly damage the trench and earthworks, leading to the Historic District's deterioration. This will defeat the purpose of the District's designation and the goals of the HPP, the HALRB and the DPR.

The item was now with the Board. Mr. Woodruff asked Mr. McNair how the trench is identified or protected. Mr. McNair pointed out the image that identified where the marker previously stood. He mentioned how he specializes in providing tours of Civil War forts and historic earthworks. He said that the sign did not indicate the location of the trench. He explained that the trench was difficult to find from the previous location of the marker. He agreed that the marker had been the only way that DPR indicated that the trench was there. Mr. McNair stated that the only way visitors could get to the trench was through illegal foot trails and/or an illicit bike trail that went over the trench, all of which existed while the sign was there. He noted the sign did not prevent any kind of damage to the earthworks.

Mr. McNair stated that the text on the previous marker only mentioned the location of the trench in the final paragraph. He said that language, as a form of interpretation, did not meet the standards of DPR's Conservation and Interpretation unit because it did not direct people to the resource, and as a form of earthwork preservation, it has not stopped any foot traffic from going over to the trench.

Mr. McNair said that preserving the trench is a priority and DPR wants to make sure that the foot traffic ceases; that reason is partially why DPR wants to move away from the interpretive side of the trench and move towards its preservation. Mr. McNair acknowledged some of the public comment from Dr. Berne, and how there is a rope and stake system used at Fort Ethan Allen proper and Fort C.F. Smith, and that DPR is conducting an inventory of its existing metal stakes and rope systems leftover from the project to apply to the earthworks.

[Ms. Meyer arrived at 6:42 p.m. and her presence was added to the roll call.] Mr. McNair mentioned that DPR has several preservation projects happening that will be applied in the near future. He also said DPR is working internally to have [Arlington's] Civil War earthworks located as separate park resources within the individual parks. He acknowledged that without the stake and rope system, the earthworks are difficult to identify, and this is an issue at Fort Scott in the southern part of the County. Mr. McNair further stated that identifying the earthworks also would indicate their locations to other park area managers who are focused on natural resources and invasive species management.

Mr. Laporte mentioned that the HALRB has had issues with DPR in the past when promises had been made to update the Board about projects. He asked if it would be possible to create a system to communicate between DPR and the HPP. He suggested that Mr. McNair provide updates [about this project] to the HALRB in six months.

Mr. Handley asked if the [removed] marker would be relocated on the property. Ms. Tawney replied that relocation was the next item on the agenda. Mr. McNair stated the marker in question is not County-owned and instead is a CWT sign. He described the ongoing partnership between DPR and CWT, and

that they agreed an update to this marker was needed especially because the public could not find the current marker in relation to the actual trench. Additionally, Mr. McNair explained that much of the information in the previous marker was repeated in better detail when Fort Ethan Allen Park had its major interpretive overhaul [in 2013-2014]. Thus, he said this meant that the interpretation near the trench needed a new subject; because they also want to keep the sign on the CWT map, they desired to make the sign more accessible by moving it towards the Fort Ethan Allen Park, where people could more easily find it.

Ms. Lawrence asked if there would be any identifying signage at the trench location. Mr. McNair replied that the only thing discussed was the metal stake and rope system, which would include the metal hanging signs to direct the public to stay away from the earthworks. He indicated that there is not an interpretive plan for the trench, in part because preservation of that particular resource must take precedence over interpretation. Ms. Lawrence clarified her question, suggesting identifying why the metal stakes and ropes are there and the goals of the preservation. Mr. McNair responded that DPR is considering metal stakes or ropes to highlight the trench. He noted that he hoped their current system of identifying other fort trenches would at least be an indicator to the public that it is a protected resource while also connecting the interpretation of that section of the park to the Fort Ethan Allen Park marker. He said he could back to the HALRB to provide an update.

Mr. Laporte agreed with Ms. Lawrence's comments about the need to better identify the trench for the public, something explaining what the earthworks are so people understand what is being protected. He also suggested that Mr. McNair return to the HALRB with an update that would include an approach to identify the actual trench. Mr. Woodruff agreed with Mr. Laporte, elaborating that the suggestion for signage to indicate the location of the trench did not need to be complicated or an entire historic marker. Mr. Handley said that although he has not visited the site, he would think that visitors to the trench would wonder why the area was roped off and why it mattered. He reiterated the importance of having signage for the trench. Ms. Farris stated that Mr. McNair agreed to come back in about six months to take into consideration what the HALRB has suggested, but that the item before the HALRB now only focuses on a retroactive CoA to remove the marker.

Mr. Wenchel echoed the same sentiments concerning the importance of interpretive signage for the trench. Ms. Tawney stated that the HPP staff can continue to work with Mr. McNair and his team about future signage at the trench but directed the HALRB to refocus on the agenda at hand. The Chair asked Ms. Tawney to explain if DPR did an illegal act [by already removing the sign]. Ms. Tawney replied that the previous CoA approved by the HALRB in June 2023 included the relocation of the subject marker to a new location in Fort Ethan Allen. She confirmed the removal of the marker by DPR and the CWT was not done illegally. However, she noted it was an oversight that the HPP did not issue a CoA at the same time for the Fort Ethan Allen Trench; since these two actions required two separate CoAs, there should have been another CoA in June 2023 for the marker's removal.

Mr. Woodruff suggested a motion to allow the marker's relocation with a stipulation that some sort of marker should be installed identifying the trench if or when the trench is roped off. Ms. Tawney clarified that the roping of the trench would need a separate CoA; she advocated that this should be a separate project. Mr. Woodruff asked staff if that could be done that evening. Ms. Tawney said no because DPR would need to provide an actual proposal concerning roping off the trench. Mr. Woodruff stated he would not push the point but asked why this could not be amended in the motion that evening. Ms. Farris replied that Mr. McNair and his team still need to consider how they want to manage the trench interpretation and that this would be a good reason for him to return to the HALRB in six months. There was further discussion amongst Mr. Woodruff, the HPP staff, and other HALRB members as to why the motion should not include language about roping off the trench.

Ms. Tawney focused on the fact that roping off the trench was not on the agenda and Ms. Lawrence further clarified that the subject was not advertised to the public as part of the discussion. Mr. Handley asked if the HALRB were to approve the retroactive CoA, would there be anything to prevent the Board from making a recommendation to have DPR return in six months with a plan for protection of the trench and encouraging them to include in such plan a marker that identifies the trench to assist with fully understanding the main site. Ms. Tawney stated that the HALRB could strongly recommend signage indicating the location of the trench to DPR but that the Board could not make this a requirement in the motion.

The Chair redirected the discussion and thought it would be possible to suggest to DPR in the motion that the trench be identified but recognized that the HALRB could not require them to do said action. Mr. Davis proposed the following motion:

I move that the HALRB approve CoA 24-03, 4311 N. Old Glebe Road, Fort Ethan Allen Trench Historic District to retroactively remove a Civil War Trails historic marker; further the HALRB requests that the DPR provide signage and protection of the Fort Ethan Allen Trench Historic District and the HALRB appreciates the DPR's offer to come brief us in the next six months.

The motion was seconded by Ms. Lawrence. Upon hearing no further comments or questions, the Chair asked Ms. Farris to call the roll. The motion passed, 9-0-1, with Ms. Meyer abstaining.

**CoA Discussion Agenda Item #2: CoA 23-14A, 3829 N. Stafford Street, Fort Ethan Allen Marker**

Ms. Tawney provided the project background:

Fort Ethan Allen was built in September 1861 as a large bastion-style fort. The fort was connected by a long series of trenches and earthworks to nearby Fort Marcy and the Potomac River. Fort Ethan Allen retains several major aboveground features. These include large earthworks, one bombproof, gun platforms, and traces of magazines. One outlier trench, the Fort Ethan Allen Trench, remains to the southwest of the fort.

Arlington County's DPR has participated in the CWT program, a multi-state heritage program connecting Civil War sites across the East Coast, since at least the 1990s. The CWT program connects Arlington sites to a larger audience of Civil War enthusiasts and includes the County in its marketing and social media. The DPR pays annual fees to be included in the CWT program for five interpretive markers: one, formerly, at Fort Ethan Allen Trench; three at Fort C.F. Smith; and one at the Arlington Mill site.

In June 2023, the HALRB approved the relocation of the CWT marker at Fort Ethan Allen Trench, which was installed in a secluded area in 2003, to Fort Ethan Allen proper via CoA 23-14. The project proposed that the marker be reinstalled adjacent to the walkway connecting the circular plaza of Fort Ethan Allen to the sidewalk along N. Old Glebe Road. Additionally, the HALRB approved different content for the marker which will include previously uninterpreted information about the African American soldiers who served in the United States Colored Troops (USCT) stationed at Fort Ethan Allen and other Arlington forts during the Civil War. CoA 23-14 covered only preliminary details of the marker and it was established that DPR staff would return to the HALRB when the marker's design was finalized. This is why they are here this evening – to present the final design for the updated CWT marker. It

should be noted that since the DRC does not review content of historic markers, this application was not considered at the February 7, 2024, [hybrid] DRC meeting.

The HPP staff recommends approval of this application as submitted. The area in which the marker will be relocated already has been disturbed for the development of the interpretive exhibits. The new content proposed for the marker is appropriate for this site and will capture underrepresented military history. Staff believes this new location for the marker will make it more accessible for all visitors to Fort Ethan Allen.

Ms. Tawney invited Mr. McNair to share any additional comments. He said he would be happy to answer any questions and emphasized that the marker text was written by himself and other contributors who are content experts at the local, state, and federal levels. Ms. Tawney stated that Dr. Bernie Berne submitted a public comment to the HALRB on February 20, 2024. Dr. Berne was the only public speaker for this item, and he reiterated some of his written comments; his submitted public comment for the record is as follows:

The Department of Parks and Recreation (DPR) has proposed to erect a CWT program sign entitled “Capital Protectors: The 107th USCT at Fort Ethan Allen” in the program’s “Defenses of Washington” series. The DPR or the HALRB needs to change the sign’s title. The USCT did not protect the capital while at Fort Ethan Allen. The USCT arrived at Fort Ethan Allen and other area forts in October 1865, six months after General Robert E. Lee surrendered the Confederate Army of Northern Virginia on April 9th and five months after the U.S. Army held a two-day victory parade in Washington during May. Although the USCT garrisoned Fort Ethan Allen, there was no need to protect the capital after the Civil War had ended. The USCT protected the fort from theft and vandalism, but did not protect the capital city.

Further, the second to last sentence in the proposed sign states: “It is stunning to think that from 1865 to 1866, formerly enslaved men protected America's capital.” The DPR or the HALRB needs to remove or revise that sentence. There is nothing “stunning” about any such actions that might have occurred. It is well-known that the USCT fought battles against Confederate troops during the latter part of the Civil War. It is therefore not surprising that the USCT served in the Defenses of Washington around that time. No formerly enslaved men ever protected America's capital while serving in the Defenses of Washington. As I have already stated, the USCT protected the area’s forts from theft and vandalism, but did not protect the capital city.

The item was now with the Board. Ms. Tawney presented the marker to the HALRB for comments and reminded the Board that Mr. McNair was available to answer questions. The Chair asked Mr. McNair to clarify if Dr. Berne’s concerns were valid. Mr. McNair, in response to the Chair’s question and Mr. Berne’s comments, discussed why interpreting Civil War sites is important. He noted the following points:

Traditionally, society views the end of the Civil War as when the surrender at Appomattox occurred. This is debated among historians on when the Civil War was over. There was a fear after the surrender at Appomattox Courthouse that the Civil War was not over and therefore protection was still necessary around the Capital. As late as the summer of 1865, Fort Ethan Allen had its bomb proof resodded and new gun platforms were installed. For soldiers coming to Fort Ethan Allen in the summer

and fall of 1865, the war had not ended, and especially for the men of the 107<sup>th</sup> USCT. These men were coming to Arlington from North Carolina where news reports stated that they were being fired upon by people in the streets where they had occupied towns and cities. At Freedman's Village there were large freedman's encampments that continued to be protected by a constant military presence via the US Army, which was not reorganized as a peacetime army until the summer of 1866.

Mr. McNair noted that the proposed marker language focuses on the struggles after the surrender of Appomattox, and he acknowledged that the history was accurate, including the title of the marker.

Mr. Laporte complimented Mr. McNair on the text improvements to the marker, explaining how the previous versions had general history about the USCT but that the HALRB asked for more focus on Fort Ethan Allen. He said he wanted more context stating why the USCT were heroic and more information about them being stationed at Fort Ethan Allen. Mr. Laporte stated that although he liked how the marker read, he felt it did not successfully explain the difficult time at the end of the Civil War. He further mentioned editorial suggestions with the first and second sentences, and he agreed with Dr. Berne's comments towards the last sentence regarding the use of the word stunning. He saw this use of language as too editorial.

Mr. Handley generally agreed with Mr. Laporte's comments but disagreed with the critique of using the word stunning to describe the stationing of the USCT. He stated how African Americans, and/or formerly enslaved people, were not often trusted to be full citizens, and had been assigned to protect the [nation's] capital that was still under threat, regardless of when the Civil War ended. Mr. Handley did not have any issue with the language and its dramatic emphasis, especially since this was a dramatic social change.

Mr. Laporte reiterated that he thought the difficulty of the time period did not come through in the text while Mr. Handley thought that the current text did make the suggestion. Mr. Laporte took it further, saying there is an argument to be made that the USCT helped win the war for the Union, which is why they were trusted to defend the capital. Ms. Dreher noted that the marker is focused on what was happening after the war and suggested a clarification be made in the second to last sentence about the instability after the formal end of the war. She also pointed out that the dates highlighted at the beginning of the marker do not match the context that Mr. McNair discussed, but recognized this could part of the historic marker series by the CWT. Mr. McNair acknowledged that the dates highlighted at the top were part of the CWT design marketing related to the Defenses of Washington series.

The Chair asked the HPP staff how the HALRB could officially provide comments to Mr. McNair. Ms. Tawney stated that the HALRB members could forward their written comments to her, and she would share them with Mr. McNair. Mr. Laporte mentioned that in the past, the HALRB has approved markers with an understanding that specific changes would be made. He did not feel this marker was at that stage yet and thought DPR needed to return to the HALRB unless there was a pressing time schedule for approval. Mr. McNair indicated there was not a pressing time schedule but reminded the commissioners about the high level of coordination necessary between his program, the CWT, and the rest of the program that operates across several different states [to complete these markers]. He said it also depends on if the CWT can complete the marker changes while they are in the area, and if they are not, then it means the marker will not get replaced until later.

Ms. Farris suggested a conditional approval of the marker, with the HPP staff working with Mr. McNair to incorporate the HALRB's comments. Mr. Laporte stated he felt the HALRB could look at the marker again the following month. The HPP staff reiterated that it depended on the CWT's schedule, and not DPR's schedule. Ms. Lawrence stated she supported the historic marker as written and Mr. Woodruff

agreed. Ms. Lawrence said she thought it was a good marker and that the HALRB had already reviewed the marker once before where their comments were considered. The HALRB members decided to put it to a vote. The Chair proposed the following motion:

I move that the HALRB approve CoA 23-14A, 3829 N. Stafford St., request to install new Civil War Trails historic marker at Fort Ethan Allen, as submitted including any outstanding minor text edits.

Ms. Meyer seconded the motion. Upon hearing no further comments or questions, the Chair asked Ms. Farris to call the roll. The motion passed 5-4-1, with the Chair, Ms. Hamm, Mr. Laporte, and Mr. Wenchel all opposed and Mr. Handley abstaining.

**CoA Discussion Agenda Item #3: CoA 24-05, 3310 21<sup>st</sup> Avenue N., Maywood Historic District**

Ms. Tawney provided the project background:

The house at 3310 21st Ave. N. is a pre-1923 contributing dwelling in the Maywood LHD. The applicant is proposing to construct an Accessory Dwelling Unit (ADU) in the rear yard. This would require the removal of a circa 2009 shed on grade, as well as the removal of a small portion of the existing rear patio. The proposed one-story ADU will be 459 s.f. and feature a rectangular floor plan with a side-gable roof. Proposed materials include Hardie plank siding, GAF three-tab asphalt roof shingles, PVC trim, Andersen vinyl-clad, simulated-divided-lite (SDL) wood windows (fixed, awning, and double-hung-sash), and an Andersen aluminum-clad wood double-leaf patio door. The applicant also proposes to decrease the size and change the material of the existing driveway. The driveway would be reduced to 336 s.f. (14' wide by 24' long) and the asphalt would be replaced with permeable pavers.

The DRC considered this application at its February 7, 2024, [hybrid] meeting. Staff and commissioners asked various clarifying questions about materials being used in the project. Although the commissioners felt that the proposal overall was appropriate for the district, there were questions about the proposed materials, in particular the chosen fenestration, that warranted a fuller discussion with the HALRB.

The HPP staff recommends approval of this application as submitted. The ADU will not be highly visible from the right-of-way and the proposed location allows it to be secondary to the primary dwelling, which complies with Appendix G of the Maywood Design Guidelines. Furthermore, the proposed design is compatible with the architectural context of the historic district and meets the intent of Chapter 6: New Addition/Building of the Maywood Design Guidelines. The creation of ADUs has been determined by the HALRB as appropriate for the LHD in the past; the HALRB approved a new ADU at 2314 N. Kenmore St. (CoA 19-16) and at 3504 21st Ave. N. via (CoA 20-20) (note the latter was never constructed).

Regarding the materials proposed, most are considered appropriate for Maywood. The Hardie plank siding, asphalt shingle roof, and PVC trim are all appropriate materials per the Maywood Design Guidelines. The proposed use of vinyl-clad windows and aluminum-clad doors should be discussed further by the HALRB. Absent specific design guidelines for new ADUs, there needs to be more clarity around which materials are appropriate for windows and doors given that there has only been one ADU built in the district. The best point of comparison would be past examples of



ADUs that received approvals from the HALRB. The proposed ADU at 2314 N. Kenmore Street was approved for wood windows. The proposed ADU at 3504 21st Ave. N., which was not constructed, was approved for wood windows, but the application in fact had vinyl-clad windows. Both applications had wood doors.

Another point of comparison could be other accessory dwellings such as sheds and garages. Per Appendix G, sheds are permitted to have wood, aluminum-clad, or vinyl windows and garages are permitted to have wood windows. Additionally, sheds are permitted to have either wood, steel, or fiberglass doors and garages have wood doors. HPP staff find that the use of non-wood materials would not be inappropriate in this specific case because the ADU is a newly constructed secondary building and would be located in the rear yard and not visible from the public right-of-way. However, it is ultimately up to the HALRB to determine the appropriateness of these materials.

Finally, the HPP staff also finds the proposed changes in size and material of the driveway to be appropriate for the LHD. It should be noted that this aspect of the project could have been approved administratively, but the size of the driveway was too large to approve via Administrative CoA (ACoA).

Next, Ms. Tawney invited the property owners, Patrick and Madelon Brennan, or their project manager, Mr. Stephan Santos, to provide any further details. Mr. Santos commented that the vinyl windows and the grills of the windows would read just like an aluminum clad wood product. He also addressed the patio door being aluminum clad and not vinyl because they do not make vinyl patio doors. He noted that the choice of the materials being presented to the HALRB factored in cost, such as the fact that an aluminum clad wood window would cost more than a vinyl window. Although this is the case, Mr. Santos believed that their design considered the aesthetics of the building more than the materials.

Ms. Tawney then asked Mr. Wenchel to provide the DRC report. Instead of a summary, Mr. Wenchel explained to the HALRB members they would be considering two projects that evening that were similar in nature because they involved new construction and existing garages at the rear of the properties. Mr. Wenchel generalized how both projects at 3310 and 3307 21<sup>st</sup> Avenue North, were similar, but he focused on explaining the latter project's details. He said the project converts the garage into an accessory dwelling and reduces the size of the driveway [staff note: the project at 3310 21<sup>st</sup> Avenue North included the reduction of the driveway and the new construction of an ADU whereas the project at 3307 21<sup>st</sup> Avenue North only included the conversion of an existing garage into an ADU]. Only a small part of the accessory dwelling is visible from the street. He appreciated the new use of the building and the materials, and thought it was a good addition to the neighborhood. Ms. Meyer agreed with Mr. Wenchel's summary and felt that the design was appropriate, that the bay window would have historic trim, which would be seen from the driveway. She did not have an issue with the use of vinyl and said that the simulated divided lights would acknowledge the design of the main dwelling. That concluded the DRC's summary.

There was one public speaker, Mr. Tim Shearson, a neighbor who lives across the street from both ADU projects. He provided the following comment:

My name is Tim Shearson and I'm speaking on behalf of myself and my wife. I live across the street from 3307 (21<sup>st</sup> Avenue N.), the Brennans, and I live next to 3310 (21<sup>st</sup> Avenue N.). First, we want to say thank you to the HALRB members and thank Mical and all the staff for your efforts to preserve our historic heritage. We strongly support these accessory unit projects and urge you to approve the applications as requested. The Brennans and Maderals did not ask us to make a statement. These two families are trying to solve daunting challenges to share their homes with family

members in a way that allows their parents to age in place, keeping their families together. One family's mom and dad would love to live here and be near their kids and grandkids so everybody can take care of each other. The other family would love for one's parents, mom or the other parent's dad, to be able to live here and both these existing houses, the bedrooms are upstairs and sooner or later will not work for seniors. Whereas these accessory units are on the ground level without steps. The HPP staff's assessment of the use of non-wood materials is appropriate, and seems to us to be totally correct from our perspective. Only an expert could tell the difference. Also, these are accessory structures that are not historic. Please allow them to use the materials they requested. Your decision about materials can have huge impacts on costs, which can make projects like these feasible or infeasible. Please be considerate not just concerning which materials from historic, but also which materials these families feel make the most overall economic sense. Note also that the Brennan's project, the one here will be virtually invisible from the street from the line looked at earlier today. I think you just see the roof line. For the Maderal's project, only one side, the south side, is visible from the street and the visible change to remove the garage door would definitely be improved. Thank you again for your service and consideration.

The item was now with the Board. Ms. Lawrence asked about the two previous ADU projects [approved] in Maywood and if they had wood doors. Ms. Tawney replied that those projects proposed wood windows and doors. When Ms. Tawney reviewed the staff reports, she said she noted that one of the ADU projects called for wood windows, but the stamped plans actually showed vinyl clad windows; therefore, what the HALRB had approved were vinyl clad windows but that ADU was never built. She stated that Maywood does not have ADUs with vinyl windows. However, HALRB members remembered, based on what was presented to them, that they had approved wood windows. Ms. Lawrence stated she was concerned about setting precedence, but she did not object to the vinyl windows. Although she preferred wood doors, the previous ADU projects did not request a different material, therefore she did not know how those projects compared to the current request for modern materials. The Chair said he agreed with Ms. Lawrence that this project could set a precedence. Mr. Davis followed up on a comment made by Mr. Wenchel and said he viewed the project at 3307 21st Ave N (the next project on the agenda that evening) as appropriate especially since it is an ADU and not the main dwelling. He understood the allowance of modern materials for secondary structures. He recognized that Maywood had different rules for sheds and garages, but he understood converting these secondary structures into ADUs and wanting to be flexible with the use of modern materials.

Mr. Handley agreed that these projects could set precedence and he also agreed about allowing for modern materials to be used on ADUs where practical. He thought the proposed ADU design continues the vernacular architecture of the main dwelling and that future projects should follow this example. The Chair agreed and noted that future projects will be reviewed on a case-by-case basis. Ms. Tawney stressed the importance of the HALRB's motion stating why the modern materials are appropriate, so that there is robust reasoning behind it. She also asked if the HALRB had any comments about the proposed changes to the driveway. Mr. Handley and the Chair expressed that that portion of the project was commendable. There was no further discussion, and the Chair proposed the following motion:

I move that the HALRB approve CoA 24-05, 3310 21<sup>st</sup> Ave N., Maywood Historic District request to construct an Accessory Dwelling Unit (ADU) and change the size and material of the driveway; for the following reasons the use of modern materials is not inappropriate for an accessory dwelling that is not visible from the street and that the accessory unit incorporates a vernacular style that matches the historic district.

Ms. Tawney confirmed the language of the draft motion with the HALRB members. Mr. Woodruff seconded the motion. Upon hearing no further comments or questions, the Chair asked Ms. Farris to call the roll. The motion passed unanimously 10-0.

**CoA Discussion Agenda Item #4: CoA 24-04, 3307 21st Ave N., Maywood Historic District**

Ms. Tawney provided the project background:

The house at 3307 21st Ave. N. is a pre-1929 contributing dwelling in the Maywood LHD. The applicant is proposing to convert the existing detached one-story garage to an ADU. The proposal includes inserting three new windows along the west elevation; two windows would be aluminum-clad wood and double-hung and one would be a vinyl sliding window in a bathroom. The north and east elevations would have no openings per code requirements. There are two options for the south elevation where the applicant is proposing to remove both the single-leaf door and garage door. Option one includes the installation of a double-leaf, steel-clad wood door in the area where the garage door is currently located and the installation of one aluminum-clad wood window to the side of the door. Option two, which is the applicant's preference, includes the installation of a steel-clad wood door at the center of the elevation flanked by two aluminum-clad wood windows. The applicant would use Hardiplank siding to infill the areas where an opening used to be located; the siding would match the existing on the garage. The existing wood window in the gable on the south elevation is remaining in place.

The DRC considered this application at its February 7, 2024, [hybrid] meeting. There was discussion about whether it was appropriate to convert the existing garage into an ADU and questions about the lack of fenestration on certain elevations. Both the applicant and staff explained that those elevations cannot have openings for code requirements and reiterated that the Arlington County Zoning Ordinance allows for existing garages to be converted into ADUs. There was also discussion about the proposed use of non-wood windows, and it was suggested that the applicant align the heights of the fenestration on the corresponding elevations. The item was placed on the discussion agenda.

The HPP staff recommends approval of this application, in particular, option two for the proposed fenestration on the south elevation. According to the Maywood National Register Nomination, the contributing garage was built around 1936; however, in 2011, the HPP staff determined that the garage was not historic or original to Maywood and therefore did not have historic integrity per their research associated with CoA 11-20 and CoA 11-30. Given that the garage is not historic, staff does not believe the insertion of new fenestration to make it a livable space would negatively impact the structure or its integrity. Furthermore, staff supports the adaptive re-use of outbuildings in the LHD. Finally, since many houses in Maywood have accessory buildings, such as garage and sheds, the conversion of the subject garage to an ADU would not be largely noticeable aside from the insertion of new fenestration.

The HALRB should discuss the proposed use of aluminum-clad wood and vinyl windows and the steel-clad wood door. As noted earlier, absent specific design guidelines for new ADUs, there needs to be more clarity around which materials are appropriate for windows and doors given that there has only been one ADU built in the district. Again, the best point of comparison would be past examples of ADUs that

received approvals from the HALRB which we discussed in the previous project. HPP staff find that the use of non-wood materials would not be inappropriate in this specific case because the ADU, a secondary building, is non-historic.

Next, Ms. Tawney introduced property owner Mr. Antony Maderal and invited him to add any more details. Mr. Maderal appreciated staff's description of the project and the HALRB's discussion about modern materials on ADUs for the last approved CoA. He also thanked his neighbor, Tim Hudson, who provided a public comment about the project. He provided insight about the proposed design, noting the original design with the double doors was to mimic the existing garage door opening, but they preferred the second option presented.

Ms. Tawney asked Mr. Wenchel to provide the DRC summary. Mr. Wenchel stated that both projects involved properties that contributed to the Maywood LHD, and that the secondary buildings are not historic. He said he did not realize that the garage was a modern replacement and debated if the foundation of the garage could be from the original garage. He mentioned that there was nothing wrong with the garage being close to the property line. However, he did not think it was appropriate for it to become a residence because there were no windows on a specific elevation. He wanted to see more windows.

Mr. Woodruff asked if it [the lack of windows] was a code issue. Ms. Tawney confirmed that the building code prevented the installation of windows on specific elevations of buildings close to the lot line, that it was a safety issue and therefore limited the design capabilities of the project. She stressed that the HALRB does not have purview over whether the garage should be an ADU but could comment on the design. Mr. Wenchel continued to focus on why the proposed conversion of the garage into an ADU is not appropriate because it [the garage] is located too close to the dwelling. With the evolution of the design [since the DRC meeting], he commented that the first design looked more like a garage, with the second design more like a dwelling. He then directed attention to the addition on the main dwelling and how it would have been possible to build an ADU near the rear of the house had they not built the addition

Mr. Maderal interrupted Mr. Wenchel, clarifying that the HALRB approved the addition via a CoA in 2008 and stated that the [current] project does not include constructing a new addition. Mr. Wenchel repeated his concerns about the proposed scope. The Chair interjected, stating he understood that the ADU might not be in the ideal location, but that the County zoning code does allow it [the use] regardless of how close the building is to the property line. Both Ms. Lawrence and Mr. Woodruff echoed this statement and how it is outside of the HALRB's purview, and that the HALRB is only looking at the design and material. Mr. Woodruff also challenged the notion that the proposal is not appropriate because of the way it is configured on the property and compared it to another small house in Maywood. Mr. Handley followed, stating that if the County allows [existing buildings to be converted] into ADUs, then the HALRB's review is only focused on the design aspects.

Ms. Meyer focused on the design, specifically the materials and the front elevation. She did not have any issues with the applicants' preferred option with the door in the middle given that the structure is non-contributing. She felt that the first option would be great if they wanted to use the existing garage door opening and that aspect of the project is not required. She noted that if the applicant preferred option two, she would approve it. Concerning the materials, Ms. Meyer thought they aligned with the main dwelling. Concerning windows, she believed the design was appropriate. She suggested that if there is concern about the location of the ADU that maybe the applicant could relocate the bathroom near an elevation where windows are not allowed. Andrew Fackler mentioned that the smaller window is where the bathroom would be. Mr. Maderal added that relocating the bathroom elsewhere would require further

trenching and digging, which they wanted to avoid. Ms. Meyer stated she supported the design as proposed.

Ms. Lawrence suggested the HALRB revisit the [Maywood] design guidelines to clarify that the HALRB is approving modern materials for ADUs. Ms. Meyer asked staff if the HALRB has approved aluminum clad windows or a different material for non-contributing structures [in the LHD]. Ms. Tawney replied she would need to look into this further, but there have been instances of aluminum clad windows in Maywood for secondary buildings. Ms. Meyer stated that given this is a garage being converted into an ADU, the material is appropriate. Ms. Lawrence noted the HALRB does require wood doors on garages but could not remember if that was the case for wood windows.

Ms. Tawney mentioned that [in the Maywood LHD] garages may have wood windows and wood doors, that sheds may have wood, aluminum clad or vinyl windows, and sheds may have wood, steel, or fiberglass doors which could be approved via the ACoA process. She reiterated that those materials could be approved in the ACoA process and that of course applicants could propose something else via a CoA application.

Mr. Wenchel stated the proposed ADU would be highly visible from the street; Ms. Tawney agreed. However, Mr. Maderal debated its visibility. Mr. Wenchel said that because the structure would be visible from the street, that should influence the materials used. Mr. Woodruff agreed with the applicant that the garage is farther down the street, and that even though it is visible, it is not in the Maywood viewshed since it is at the end of a cul-de-sac. Mr. Wenchel noted that the reason the DRC recommended these two [ADU] projects come to the full HALRB was because they are setting precedence. Ms. Tawney also suggested that the HALRB consider if the proposed fenestration was a significant change from the public right-of-way. The Chair asked about the material of the current garage door; Mr. Maderal replied it is metal.

Mr. Handley mentioned that the existing garage [to be converted into an ADU] is not contributing to the LHD and that like the last project, it could be appropriate to use modern materials. He also thought the design of the ADU was appropriate and that the elevation visible from the street will be more attractive. He felt that this project was similar to what the HALRB just approved. Mr. Woodruff mentioned that if the garage was a contributing structure, then the HALRB's discussion may be different. The Chair added that the garage had [undergone approved changes] in 2011. Mr. Woodruff agreed with Ms. Lawrence that Maywood's guidelines should be updated. Ms. Lawrence commented that such an update should focus on garages, and if more modern materials are being allowed for ADUs [in the LHD], then [such materials] should be allowed for garages as well. There was no further discussion. The Chair proposed a motion as follows:

I move that the HALRB approve CoA 24-04, 3307 21st Ave N., Maywood Historic District, request to convert an existing garage with option 2 to an Accessory Dwelling Unit (ADU) for the following reasons: the modern materials are not inappropriate for this structure because it is non-historic, it is a secondary building, and the design incorporates a vernacular style that matches the historic district.

Ms. Tawney confirmed the language of the motion with the HALRB members. Mr. Woodruff seconded the motion. Upon hearing no further comments or questions, the Chair asked Ms. Farris to call the roll. The motion passed unanimously 10-0.

### **Informational Item: Barcroft Apartments Section 1 Renovation**

Ms. Farris introduced the Jair Lynch project team. She indicated she would not provide the usual staff report summary since nothing had changed with the renovation proposal for Section 1 since the HALRB's meeting on January 17, 2024. She reminded the HALRB that last month the Chair had asked for more detail about the proposed landscape changes, and that tonight's meeting met the requirement of having the project team come to the HALRB for two public meetings.

Representing the Jair Lynch project team, Ms. Lauren Riley of Walsh, Colucci, Lubeley & Walsh, introduced everyone assisting with the discussion. She explained that the only difference in their presentation was the inclusion of a more illustrative example of the proposed landscape amenity area. Ms. Riley presented a rendering of this area.

Ms. Farris requested Mr. Jeff Kreps, Landscape Architect with VIK A Engineers, to describe the landscape aspects:

As the project team processes these use permits in the Form Based Code areas, they are creating small gathering spaces for clusters of buildings. They are proposing one such gathering space near Building 16 on the east side of S. Thomas St. At the center of the area, they will provide a pervious surface at the ground plane, with the final material undetermined, but that would be compatible for the health of the nearby trees.

They are considering movable furniture, such as picnic tables, small tables, and chairs, that can be readjusted and moved around for social gatherings. The space is meant to be flexible space with a pervious surface and possibly a grilling station.

They want to plant shrubbery and low-level plantings around the space to create some privacy while maintaining the health of the tree canopy above. Across the street between Buildings 11 and 15 they are planning a similar gathering space, but they are leaving the hard surface areas for that space because it will be near the [new] accessible units.

The proposed gathering spaces are meant to serve the residents in this cluster of five buildings.

Mr. Laporte asked if the HALRB will have a chance to look at the final landscape plan. Ms. Riley replied that would not come back to the HALRB, but it would be reviewed by Urban Forestry and other County staff when completing the more technical review of the project. She clarified that the County staff will compare the illustrative plan that the HALRB would review this evening to the more detailed final landscape plan in the Use Permit package to make sure they are complying to the initial vision for the small gathering spaces. Ms. Riley noted the project team does need a level of flexibility with the types of furnishings until they are able to complete the final landscape plan. Ms. Lawrence complimented the idea of the central gathering spaces and advocated for keeping as many trees as possible. Mr. Kreps mentioned that the current use permit proposal does not call for the removal of any trees.

Mr. Laporte suggested not making the landscape buffer areas too big because that would go against the concept of garden apartments and be like a public space. He understood why the applicants are offering to make the spaces more private but recommended not going too far because they are garden apartments. Mr. Kreps explained that the low shrubbery is meant to be an edge to the gathering spaces and allow people to look over them. He agreed that the spaces are supposed to be similar to a park-like setting with a plain ground plane and overhead tree canopy.

Ms. Farris explained she would be part of the staff reviewing the final landscape plans. Mr. Handley appreciated that the project team plans not to overbuild in these semi-paved areas or else it would create more of a private space or spaces that do not look good in the long term. He saw the proposal as fitting into the existing design of the garden apartment complex but modernizing it for residents to enjoy as an outdoor gathering space. He stressed the importance of keeping the proposed size of these gathering spaces so they continue to fit with the nearby building footprints.

## **CHAIR'S REPORT**

The Chair asked about the special Advisory Working Group (AWG) committee meeting that occurred on February 7, 2024, regarding the land use analysis for the Barcroft Apartments complex. Ms. Farris explained that Ms. Lawrence and Mr. Woodruff were representing the HALRB during the AWG meetings. She reminded the HALRB members how they have been reviewing use permits for where Jair Lynch is proposing specific renovation projects through the Form Based Code. At the same time, she said the County has started its own public engagement process to get feedback from various commissions concerning the overall land use analysis for the larger vision of Barcroft. She described the first AWG meeting as a general overview of what is expected from this land analysis process.

Ms. Lawrence said she found it interesting to get the different perspectives from the participants at the meeting. She noted that some people are in favor of redeveloping Barcroft to increase the number of affordable housing units, which will mean demolishing some of the historic buildings, while others are not moving in that direction. She said the February meeting was more of an introductory session where everyone introduced themselves and asked questions. Ms. Lawrence said she tried to stress points about garden apartments and historic preservation, and that there is already plenty of market-rate affordable housing in Barcroft. She acknowledged that the County needs housing, but that there is a way to do it while preserving Barcroft.

Mr. Woodruff added that the Jair Lynch project team distributed its high-level concepts for what they want to achieve at Barcroft and how that affects the financing. He stated the Jair Lynch team is saying that they will need to redevelop a large portion of Barcroft along Columbia Pike and S. George Mason Dr. with greater density, but plan to preserve most of the buildings along S. Thomas St. Mr. Laporte asked if Jair Lynch wants to do the same thing as what was previously done in Buckingham concerning demolishing historic buildings for new construction that would be market-rate housing. Mr. Woodruff could not recall if they are proposing to demolish historic buildings for new construction, which was what occurred in Buckingham.

Ms. Lawrence explained that at Barcroft there will be income limits for the renters. Mr. Woodruff did not believe the entire complex was going to be affordable housing. Ms. Farris noted that these were the types of questions the HALRB members could ask during the land analysis meetings. She did state that the meeting discussions are focused on the committed affordable housing at Barcroft and opportunities for market rate housing. Mr. Woodruff explained that under the Neighborhood Form Based Code, there is a specific number of buildings located in Barcroft's Conservation Area that is supposed to be preserved, and the Jair Lynch proposal is not following this completely. Ms. Lawrence also stated that none of the residents are supposed to be forced out, but she has already heard of residents that have left Barcroft. Ms. Farris explained that early-on, some of the residents opted out of Barcroft, possibly because of the uncertainty or that they may not qualify to live at Barcroft anymore. She said the County Board and the Housing Division [in CPHD] are working closely together to create a thoughtful transition plan for the residents that may fall under that category.

Ms. Farris stated the next land analysis meeting is scheduled for February 26 and she will be presenting on the historic preservation goals and policies for Barcroft. She explained that each AWG meeting will cover a different subject related to land use, like open space, transportation, parking, etc. Mr. Handley asked if they are proposing to demolish buildings and develop the open space. Ms. Farris replied that the Form Based Code calls out redevelopment areas in Barcroft, which are mainly along Columbia Pike and S. George Mason Dr. She said the overall land use proposal for Barcroft will have to explain how they are following or deviating from the Form Based Code requirements. She noted that given that the Barcroft complex contains 60 acres and more than 1,300 units in 52 buildings, this will be a large endeavor.

## **STAFF REPORT**

Ms. Tawney reported that the Dr. Roland Bruner historic marker located in Green Valley [on S. Glebe Rd.] had been in disrepair. She explained how the HPP staff ordered a new replacement marker and worked with DPR to have it installed after being notified by the Green Valley Civic Association about the poor condition of the original panel.

Ms. Tawney also reported that she and Ms. Liccese-Torres recently attended an event at Dorothy Hamm Middle School, formerly Stratford Junior High, which is another LHD. She reminded the Board that this was the first public school in Virginia to desegregate in February 1959 and the event celebrated that 65<sup>th</sup> anniversary. Ms. Tawney noted that different community groups and County programs like the HPP were invited to have a table to share information; about 40 people visited the HPP table, including HALRB member Ms. Carmela Hamm, who was a featured speaker at the program the evening prior. Although short staffed, Ms. Tawney stated the HPP is continuing to conduct quarterly outreach events as recommended in the [newly updated] Historic and Cultural Resources Plan. Ms. Hamm agreed that the event was very well attended.

Mr. Woodruff asked who is the HALRB's County Board liaison. Ms. Tawney replied it was Board Member Susan Cunningham. Mr. Woodruff stated that Board Member Matt de Ferranti might think it is himself. Ms. Tawney explained that both the board members are working together as Board Member Cunningham becomes familiar with the HALRB. Ms. Dreher stated that Board Member Cunningham interviewed her prior to her HALRB appointment.

Ms. Lawrence asked if there is an update on the Green Valley Pharmacy. Ms. Tawney responded that the owners and their team are still working through the building permit process; the HPP staff anticipates they likely will need to return to the HALRB for an amended CoA.

The Chair adjourned the meeting at 8:55 pm.