TOWN OF MIDDLEBURG
HISTORIC DISTRICT REVIEW COMMITTEE
REGULAR MEETING MINUTES

Thursday, July 2, 2026
PENDING APPROVAL

The regular meeting of the Historic District Review Committee was held on Thursday, July 2, 2026, in the Town Hall Council Chambers. Chair Clites called the meeting to order at 5:30 p.m. Town Clerk North called the roll.

PRESENT: Tim Clites, Chair
Punkin Lee, Vice Chair
Margaret Littleton
Steve Simons
Linda Wright
Cindy C. Pearson, Council Representative

STAFF: William M. Moore, Deputy Town Manager
Amy Rogers, Planner
Rhonda S. North, MMC, Town Clerk

ABSENT: William Anderson
Virginia Jenkins

Approval of Meeting Minutes

Chair Clites moved, seconded by Committee Member Simons, that the Historic District Review Committee approve the May 7, 2026 and June 4, 2026 Regular Meeting Minutes as submitted.

Vote: Yes – Committee Members Lee, Littleton, Simons, and Wright and Councilmember Pearson
No – N/A
Abstain – N/A
Absent – Committee Members Anderson and Jenkins
(Chair Clites only votes in the case of a tie.)

New Business

COA-RS 26-05: New Single-Family Dwelling – 1 Hunt Reserve Lane (Middleburg Residences Lot 36)

Planner Rogers reported that this lot was located in The Stables area of the subdivision and was the eighth application in the larger lot section. She further reported that the floor plan was proposed to be 3,497 square feet and would include a two-car detached garage, with a pergola that would connect it to the home. Ms. Rogers advised that a railing would run along the side of the pergola and to the rear of the property to enclose the back garden area. She noted that the front elevation included a first-story bump out, which contained a second story balcony and advised that this was something the Committee had not seen in the past. Ms. Rogers reported that the front and rear elevations and garage would all be stucco and noted that the details were standard for the development. She advised that the applicant was suggesting a color change from Bruton White to China White because of issues with the stucco taking on a different hue. Ms. Rogers reported that the house would contain black shutters, doors and downspouts.

She noted the stone detailing on the rear and front stoops, as well as the rear porch's stone water table. Ms. Rogers reported that the remainder of the house would have a stucco water table. She displayed the details for the railing and fencing.

Gretchen Yahn, of Castlerock Enterprises, appeared before the Committee representing the application. She advised the Committee that the house was in the very back of The Stables neighborhood, which backed up to the conservation area. Ms. Yahn noted the proposal to use China White for the stucco and explained that they have noted that the Bruton White was casting a pinkish hue than when it was paint. She opined that China White was very classic and noted that it had a bit of a grayish undertone. Ms. Yahn confirmed they would not put a Bruton White house next to this one. She advised that this house was very similar to the one on Lot 38. Ms. Yahn noted that it would contain an elevator, which was why it was extended slightly. She advised that there would be a stone water table at the front and back stoops, as well as at the pergola, with everything else going to the ground being stucco. In response to an inquiry from the Committee, Ms. Yahn advised that they would be building the lot up by bringing in fill. She noted that the road from the main cul-de-sac would be a private one. Ms. Yahn advised that currently, it was steep and came back up; however, they were making changes to it so the grade would be closer to what existed when entering the drive. She noted that the foundation walls appeared to come way out of the ground and advised that they would be filling that in to the front in order to have a nice evenness. Ms. Yahn acknowledged that there would be a good amount of site work and explained that the intent was to have a flat area toward the front, with it falling off to the north. She advised that the back would be pretty flat and would be reminiscent of the rear of Lot 38. Ms. Yahn explained that the reason for the retaining wall in the rear was to create a flat courtyard space.

Chair Clites noted that the Salamander Residences Guidelines did not allow the same color to be used on houses that were side-by-side. He further noted that they could be the same material; however, they had to be a different color.

Committee Member Littleton opined that the color was very nice. She expressed an understanding of the issue and noted that stucco left shadows. Ms. Littleton opined that it would look very close to Bruton White. She noted that she assumed the China White would be presented on a case-by-case basis.

Ms. Yahn confirmed it would and noted that they were looking for a crisper white for the stucco, which was why she proposed China White.

In response to an inquiry from the Committee, Ms. Yahn confirmed the fence would be forty-two inches high. She noted the fence in the rear and advised that it would be in keeping with the context of the landscaping so it would not be visible in the front or back.

In response to an inquiry from the Committee, Ms. Yahn confirmed the siding would remain Bruton White. She advised that they first noticed the color issue with Lot 18 and did a stolastic coating to address it. Ms. Yahn opined that China White would be better on the stucco and reiterated that it had more of a gray undertone. She challenged anyone to notice a difference between the Bruton White siding and China White stucco.

In response to an inquiry from the Committee, Deputy Town Manager Moore reminded the members that they previously approved four colors. He noted that they were not a part of the guidelines; therefore, there was no need to revise them. Mr. Moore advised that early on, Ms. Yahn narrowed Salamander's color selections down to four; however, they were not limited to those four. He confirmed it was fine for the Committee to accept an additional color.

Ms. Yahn advised that it was not their intention to deviate from the four colors. She explained that in this particular instance, it was mandating the need to go a little crisper.

Councilmember Pearson noted the number of windows on the right elevation and opined that there were not a lot of solid walls on that side.

Ms. Yahn noted that the right elevation faced the conservation area. She advised that on the lower level, the doors were stackable so they could be pocketed all the way back. Ms. Yahn noted that there was a rec room on this level.

Chair Clites noted the box bay window with the balcony. He opined that from a public way, it would never be seen. Mr. Clites suggested it would not look as good if it was in a more prominent location on one of the other buildings. He questioned whether it would be painted all white or whether there would be stucco panels on the inside.

Ms. Yahn confirmed it had panels. She advised that she would probably use trim below the balcony and above the window. Ms. Yahn further advised that she would use a panel at the top.

Chair Clites noted that the way the window projected out, it looked a little top heavy. He advised that if it were on a more prominent location, he would want to see something different.

Ms. Yahn advised the Committee that the house was sited so as to cant toward the side. She noted that, otherwise, she would agree with Mr. Clites.

Chair Clites noted the lack of a shutter on the window and opined that this was intentional. He noted that Ms. Yahn had done this on some of the little square windows.

Ms. Yahn confirmed she had done this on a couple of the windows. She noted that the shutters would have the cross on the Z, including on the back elevation and the right elevation on the garage, so it would match the others. Ms. Yahn noted that she just noticed that was missing from the plans.

Chair Clites advised that he liked the China White. He expressed an understanding of the issue with the color showing up differently on different materials.

Committee Member Simons noted the second floor balcony on the right elevation. He further noted that a small roof to the right of the dormer was proposed. Mr. Simons questioned the plans for dealing with the downspout in that area.

Ms. Yahn advised that it would be taken down on the right-hand side and would Y into the lower roof to bring it down. She further advised that she may have to take it straight down, in which case she would have an internal ringleader.

In response to an inquiry from the Committee, Ms. Yahn advised that twenty-two of the homes had been constructed. She noted that she had another one that was getting ready to go.

Chair Clites moved, seconded by Committee Member Simons, that the Historic District Review Committee approve COA-RS 26-05 as submitted, including the China White as the substitute for the Bruton White.

Vote: Yes – Committee Members Lee, Littleton, Simons, and Wright and Councilmember Pearson
No – N/A
Abstain – N/A
Absent – Committee Members Anderson and Jenkins
(Chair Clites only votes in the case of a tie.)

COA 26-28 (S 26-11): Free-standing Sign & Outdoor Furnishings – 12 S. Pendleton Street – Nido Coffee & Tea

Planner Rogers reported that this business was located on the same lot as Nature Composed and was located in the cottage that was accessed off West Federal Street via an alley. She further reported that they were requesting approval of a sign and outdoor furnishings, in the form of umbrellas. Ms. Rogers advised that the request was for a 5.4 square foot free-standing sign on an existing post. She noted that it would be Extera and would be carved and painted. Ms. Rogers advised that the background would be Hunter Green, with the lettering and logo being Ivory Tusk. She noted the existing stone and advised that it would be re-stained and oiled. Ms. Rogers advised that the applicant's representative brought color and stain samples for the Committee members' review. She reiterated that the applicant was also requesting approval for umbrellas that were tan in color and contained a five-foot four-inch radius. Ms. Rogers reminded the Committee that they did not yet have guidelines related to umbrellas; however, they were working on them. She reported that they would be located on the existing wood railing that delineated the patio.

Nicole Madden, of Quail Run Signs, appeared before the Committee to answer any questions they may have. She displayed the color samples for the application.

Committee Member Littleton opined that the umbrellas were already in place. She questioned whether what was proposed was different.

Vice Chair Lee opined that the umbrellas looked like what Nature Composed had over their plant racks. She suggested they matched what already existed. Ms. Lee opined the sign was nice and suggested it was the same size as the previous one.

Ms. Madden confirmed it was one inch smaller.

The Committee agreed the sign and umbrellas were nice.

Committee Member Simons opined that the round sign delineated itself nicely from the other signs in town and was an attractive addition. He questioned how the umbrellas would be affixed to the rail.

Planner Rogers advised that there was a hole in the railing that the umbrella poles would slip into. She further advised that they would then fit into a stand at the bottom. In response to an inquiry from the Committee, she advised that the umbrellas should be closed when the business was not open.

Councilmember Pearson advised that the sign looked great and the umbrellas were nice. She noted, however, that the site distance at the intersection of South Pendleton and West Federal Streets was difficult due to items located there. Ms. Pearson suggested the need to clean the area up a bit to improve the site distance.

Committee Member Simons advised that the large pine tree at the end of Pendleton Street was just removed, at the request of a neighbor. He further advised that a Crape Myrtle was also removed, which opened up the streetscape.

Chair Clites noted that things continued to grow in this area and asked that the Town staff pass that concern along to the applicant. He further noted that the Committee raised the lights that were installed about a year ago and asked whether that had been resolved.

Deputy Town Manager Moore advised that he did not know whether they were still up. He noted that the operator had been informed that they were required to come down. Mr. Moore advised that the staff would follow up with enforcement if necessary.

Chair Clites opined that this was an opportunity to address that issue. He noted that the Town had tried hard to limit this and opined that it was worth re-enforcing again. Mr. Clites opined that the sign was great.

*Chair Clites moved, seconded by Committee Member Littleton, that the Historic District Review Committee approve the sign (*COA 26-18 (S 26-11)) as presented.

Vote: Yes – Committee Members Lee, Littleton, Simons, and Wright and Councilmember Pearson
No – N/A
Abstain – N/A
Absent – Committee Members Anderson and Jenkins
(Chair Clites only votes in the case of a tie.)

In response to an inquiry from the Committee, Ms. Madden advised that she did not know the symbolism of the logo; however, she opined that it was nice.

Discussion Items

Outdoor & Rooftop Dining Guidelines

Planner Rogers reminded the Committee that they discussed the proposed guidelines amendments last month. She advised that with regard to umbrellas, rather than trying to explain the term "lower level", the staff decided to look at it differently and to just say that these items could not be on an upper story. Ms. Rogers opined that this was in keeping with the rest of the guidelines which said "shall not be allowed…". She explained that in this case, umbrellas would stay at the ground level, first floor level, floor deck level, and, even, below ground level.

Planner Rogers noted the previous discussion regarding lighting and advised that she added the term "warm light by the 2,700 kelvin to 3,000 kelvin" range so a layperson would know they were supposed to look for a light in the warm spectrum. She explained that to address the lumens question, it was suggested that the lowest lumen level possible be used. Ms. Rogers noted that she tried to research table lights to identify their lumens; however, she could not find anything.

Planner Rogers reminded the Committee that as to the rooftop dining, they did not want to see anything and advised that rather than listing everything they did not want to see, the staff proposed that the guidelines simply say "outdoor elements" and that a list of the outdoor elements be added in the first paragraph. She noted that those items would be allowed as long as they could not be seen. Ms. Rogers advised that the draft amendment also included items that the Committee did not want at all, such as pergolas, tents, or umbrellas on rooftops. She noted that safety railings were addressed separately, as this would be required and the height dictated from a building code perspective. Ms. Rogers suggested that while the Committee may not want to see it, the building code may dictate something that may be seen. She advised that the language did require that it be at the lowest level possible. Ms. Rogers reminded the Committee that when they reviewed the only application that had been presented for rooftop dining, they suggested it may be possible to allow an awning on the roof and advised that she identified that as a separate item in the guidelines. She noted that the proposed language stated that they would be reviewed based on the existing awning guidelines. Ms. Rogers advised that this was how the staff proposed to handle the Committee's comments from the last meeting.

In response to an inquiry, Committee Member Simons explained that a white light would usually be above 3,000 kelvins. He noted that a warm light would have an incandescent yellow glow. Mr. Simons advised that for most lighting manufacturers, it was common for the color temperature to be in the 2700 kelvin range. He noted that 3000 kelvin was slightly whiter; however, it was not outside of the spectrum by a great deal. Mr. Simons suggested this be allowable and noted that sometimes, it was challenging to

find a fixture that met the requirements. He reminded the Committee that they have had considerable discussion about how bright the lights were. Mr. Simons opined that it would be difficult to establish a lumen rating for what was and was not allowable. He suggested the Committee include a requirement that the lighting be on a dimmer so it could be toned down if the light appeared to be too bright, without having to change the fixture.

Planner Rogers reminded the Committee that the section under discussion was specific to tabletop or ground level accent lights. She questioned whether only clear bulbs should be allowed.

Chair Clites noted that some LED lights with clear bulbs contained a fairly harsh filament to look at. He suggested the language be changed to read "white lights only; no other colors or no colored lights". Mr. Clites opined that this would mean the light would have to be white or any other kelvin temperature that was white and not a color. He advised that he did not know how else to describe it other than to say "white". Mr. Clites noted that the previous item described that it must be warm. He suggested this covered this item clearly enough.

In response to an inquiry from the Committee, Planner Rogers advised that she would cover the ban on music and noise in the zoning ordinance.

Committee Member Simons noted item 7C related to other roof coverings. He advised that this gave him pause because he thought there may be an instance where there could be a traditional roof structure on a building, where it was open beneath it, that would still allow it to work with the architecture of the building so it would not stand out like a pergola, something that was meant to be on the ground or a temporary structure would. He opined that the proposed language narrowed things down too much. Mr. Simons suggested that if rooftop access was going to be allowed, what was proposed would leave people exposed. He further suggested this be considered on a case-by-case basis but not necessarily allowed. Mr. Simons recommended it be open depending on the location, height and architecture of the building, as well as certain other factors.

Chair Clites noted that the Red Fox Inn had a second floor porch and a first floor porch with a roof covering at one point in time. He opined that if those still existed, someone may want to put dining on them. Mr. Clites agreed there may be a scenario where the architecture would support a roof or covering.

Committee Member Simons noted that the Committee's current reference point was the one applicant. He opined there may be an opportunity on that building for something that would look attractive rather than what had been presented thus far. Mr. Simons noted that he was not suggesting the Committee would consider it; however, he advised that he personally would have proposed something different. He opined that there were a limited number of buildings in town that could accommodate this type of space. Mr. Simons reminded the Committee that there was not a lot of room for new construction. He opined that the Committee was limited in the number of occasions it would see this type of application. Mr. Simons suggested that closing the door would close off a potential solution to a significant challenge.

Planner Rogers advised that the proposed language was not intended to preclude structural roof coverings and explained that it was intended to address cloth and other types of coverings. She suggested the addition of the phrase "nonstructural roof coverings" to address this.

Councilmember Pearson noted that other things, such as sail type covers, could be included. She opined that the proposed clarification would address this.

Chair Clites suggested the removal of the word "roof" so it read that "other elevated coverings were not permitted". He noted that roofs were architecture, which the HDRC had purview over. Mr. Clites suggested the best way to go would be to keep the phrase generic. In response to comments from the Committee, he noted that they already have purview over a roof; therefore, they could talk about it.

Chair Clites advised that his only comment was with regard to safety railings. He reminded the Committee that they encouraged the one applicant to address the space and distance from the parapet wall in an effort to reduce the amount of rail that would be visible. Mr. Clites noted that a by-product was that people would not be allowed to get as close to the edge of the building and look down over the public pedestrian way, which he found inconsistent with the village. He advised that he was unsure of the height of the rail and questioned whether this was something the Committee could negotiate on a case-by-case basis based on what could be seen from the public way.

Deputy Town Manager Moore suggested the Committee could eliminate the guideline and revert back to the railing being an element it did not want to see, which was acceptable. He noted that he added this particular guideline with the thought that if the owner could arrange a rooftop space so everything would not be seen except for the safety rail, which had to be in place, it would not disqualify the entire space. Mr. Moore reiterated that it was acceptable to say that none of the outdoor elements could be seen, which would include the rail, from a public way. He suggested this proposed language be eliminated if that was the Committee's preference.

Chair Clites advised that if the application that was approved got built and there were locations where parts of the rail could be seen, he would not find it completely offensive. He suggested the Committee needed to consider whether it was appropriate to see parts of the rail from the public way given the building and whether it was located on the main street or a secondary street.

In response to an inquiry from the Committee, Chair Clites advised that the guidelines applied to the Historic District, which was predominantly commercial.

Committee Member Simons noted that there were mixed-use buildings in the Historic District and opined that this could come up in a residential setting. He questioned whether there should be different guidelines for residential versus commercial uses.

Chair Clites opined that the question was whether the Committee wanted this in the Historic District regardless of use or whether use changed how they felt.

Vice Chair Lee noted that the Committee always referenced the Historic District and never referred to it as commercial. She suggested that something should follow the Historic District Guidelines because it was in the district. Ms. Lee noted the safety railing discussion and opined that things would get "a little dicey" if it was visible from one location but not another. She suggested this left it open to interpretation and noted that during the one application review, the Committee was seeing items from the street that the applicant wasn't. She questioned, if something was allowed to be visible, whose interpretation would be followed. Ms. Lee opined that this would open a can of worms for something as simple as a safety railing.

Committee Member Littleton agreed with Vice Chair Lee.

Chair Clites suggested the Committee discuss one issue at a time. He advised that as to the question of residential versus commercial, he agreed with Vice Chair Lee that the Committee did not look at something in terms of use when applying the guidelines. Mr. Clites noted that the Committee started its discussion of outdoor dining, which now included rooftop dining. He expressed hope that this would include any rooftop space use, which was still a question. Mr. Clites opined that if someone wanted to turn their rooftop into an active space, other than for rooftop dining, and it could not be seen, there was nothing the HDRC could do about it. He suggested that if it could be seen, the Committee would want to have a way of regulating it. Mr. Clites opined that it was not a question of use. He noted a recent residential project in which the Committee determined that a screened porch with a flat roof and railing around it was not appropriate in the Historic District. Mr. Clites opined that regardless of whether it was a residential or commercial use, the HDRC needed to have the ability to talk about it.

Vice Chair Lee noted that a lot of applications related to houses have come before the HDRC. She further noted that they all had to meet the Historic District Guidelines. Ms. Lee suggested that if a property was in the Historic District, it needed to follow the Historic District Guidelines.

Chair Clites questioned whether the Committee was comfortable with that. (No concerns were raised.) He suggested they return to the discussion of the safety rail and whether it should be allowed to be visible. Mr. Clites noted the differences between "if visible" and "when visible". He advised that he would like to have the ability to say "if it's visible, we would like you to push it back because we prefer, in this instance, given the prominence of what was being presented, that it not be seen." Mr. Clites noted that this would not guarantee it could be visible.

Deputy Town Manager Moore suggested this language be omitted and that the rail be treated as an outdoor element that could not be visible. He noted that as such, under the litmus test, if someone installed a rail that could be seen, there would be no question it would be a violation. Mr. Moore opined that this was the best approach.

Chair Clites opined that the phrase "may be permitted where the outdoor elements are not visible" would capture all outdoor elements.

Deputy Town Manager Moore suggested the staff spend more time on the first paragraph on the first page. He further suggested they may add an "including but not limited to" clause knowing that the list of outdoor elements may not be all inclusive at some point in time, as someone will come up with something else.

Chair Clites advised that he liked Deputy Town Manager Moore's recommendation that outdoor elements would be allowed as long as they could not be seen. He questioned whether the proposed guideline amendments had to be advertised for a public hearing or whether they were ready for approval. Mr. Clites further questioned whether the Committee could adopt them and forward them to the Council.

Deputy Town Manager Moore advised that he would double check to see whether a public hearing was required; although, he did not think it was. He further advised that a motion would be ready for the Committee for next month. Mr. Moore noted that if a public notice was required, the staff would take care of that between now and the next meeting.

Deputy Town Manager Moore advised that he was very happy that something was happening with the former Fun Shop property. He displayed pictures of Mr. Ash's property in Leesburg, which the Mayor shared with him. Mr. Moore explained that the pictures depicted a three-wheel vehicle being placed on the rooftop by a crane and advised that it would be used as an outdoor element to serve beverages from on top of his space. He noted that it was an outdoor element and advised that the Town could never come up with an all-inclusive list of what people may propose. Mr. Moore opined that no one contemplated a vehicle would be placed on the roof.

Chair Clites agreed with the need to make the definition of an "outdoor element" all inclusive. He noted the second picture, which showed people in the foreground who were across the street. Mr. Clites advised that while he would enjoy going there, it would not feel like Middleburg. He explained that this was the reason he kept raising this issue. Mr. Clites agreed these were wonderful spaces as long as they were in the right context; however, it was going to be difficult to find the appropriate context in Middleburg.

Appointed Officials Training

Town Clerk North reminded the Committee that the Council had asked that she give appointed officials training annually to each of the Town's committees. She noted that the Committee also had a new member who had never received the training. Ms. North reported that there were changes to the State Code this year that she needed to bring to the Committee's attention. She acknowledged the issues with

the air conditioning system and suggested the training be deferred to next month. Ms. North noted, however, that there was one item she needed to raise during this meeting, as the change in law took effect on July 1st. She reported that Senate Bill 699 required that in the case of items that were added to the agenda after a meeting started, "final action" could not be taken unless they were time sensitive or the result of a closed session. Ms. North explained that if an item was added after the meeting began that was not time sensitive, the Committee could refer it to the staff for more detail, refer it to a sub-committee, or refer it to their next meeting for action. She advised that the State Code contained a definition of "final action" and explained that it went beyond a vote. Ms. North further explained that it included reaching a consensus, an adjudication or anything that essentially said the matter was final. She noted that frequently an applicant would appear before the Committee and say "I forgot to include the lights" or "Can I add this?". Ms. North reported that the law was not clear on what the addition of an item meant and whether it meant adding a complete agenda item or a component within an item. She noted that she and the Town Attorney have discussed this; however, the bottom line was that until there was a legal challenge and a court ruling, the HDRC should be cautious. Ms. North advised that if they needed to act on something because it was time sensitive, the Town Attorney has suggested they explain the time sensitivity in the motion in the event there was ever a legal challenge. She noted that this was a big change in how the meetings could operate and advised that she wanted to bring it to the Committee's attention, as the HDRC was the committee that was most impacted by the change. Ms. North explained that this was a transparency issue. She noted that the State Code amendment also required the posting of the agendas to the Town's website, which the Town had always done. Ms. North advised that while she understood the concept, there may be some hiccups in the actual application. She reiterated that the remainder of the training would be deferred until next month.

Chair Clites noted that he read the training materials. He further noted the Standard of Conduct and Code of Ethics. Mr. Clites advised that this document asked appointed officials to be conscientious of the effort needed, to be prepared for each meeting, and to be concise. He opined that the document was worth reading and suggested it expressed how the HDRC, and all Town committees, tried to live in terms of service to the community in a really positive way. Mr. Clites acknowledged that this did not happen in every community and expressed gratitude that Middleburg was a really special place. He opined that the Committee handled things with respect, in a positive environment, and with an attitude of courtesy. Mr. Clites asked the members to read the documents before the next meeting.

Committee Member Simons noted the Salamander Residences application heard earlier in the meeting. He questioned whether the change in the State Code would apply to the change in the railing height.

Town Clerk North explained that because the railing was already included in the application, it would not be considered an addition. She cited as an example a sign application, where the applicant asked to add a light after the Committee inquired as to whether the sign would be lit. Ms. North advised that depending on how the courts interpreted it, it could be an addition. She noted that until there was a court ruling, localities were flying blind as to what the phrase "addition of an item" meant.

Chair Clites opined that the easiest thing to do was to refer things like that to the next meeting.

Joint Architectural Review Board Awards

Chair Clites reported that the HDRC's submissions were well received. He noted that there was one community that did not get their submissions in and advised that the hope was they would so by August so they could be voted upon at that time. Mr. Clites opined that there was a possibility that Middleburg could host the awards event this year. He noted that he would advise the Committee as he had more information.

Quorum for August Meeting

Chair Clites asked the members to let the Town Clerk know if they were unable to attend the August 6th meeting.

There being no further business, the meeting was adjourned at 6:33 p.m.

RESPECTFULLY SUBMITTED:

_____ _____
Rhonda S. North, MMC, Town Clerk

HDRC Meeting Transcript – July 2, 2026

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

Tim Clites: All right, folks, we're live. We'll call to order our meeting for Thursday, July the 2nd, 2026. The first item is roll call.

Rhonda North: Chair Clites.

Tim Clites: Present.

Rhonda North: Vice Chair Lee.

Punkin Lee: Here.

Rhonda North: Committee Member Anderson is absent. Committee Member Jenkins is absent. Committee Member Littleton.

Margaret Littleton: Here.

Rhonda North: Committee Member Simons.

Steve Simons: Here.

Rhonda North: Committee Member Wright.

Linda Wright: Here.

Rhonda North: Council Member Pearson.

Cindy Pearson: Here.

Tim Clites: Thank you. Public comments. I see one applicant. So, we'll skip over that. We'll go to approval of our meeting minutes for both the May 7th and the June 4th regular meeting. Has everyone had a chance to review the meeting minutes, all 19 pages of the? [laughter] Any clarifications or comments on the meeting minutes? I move we approve as submitted.

Linda Wright: Second.

Steve Simons: Second.

Tim Clites: All those in favor?

All Committee Members: Aye.

Tim Clites: Any opposed? Any abstained? Thank you. Next, we'll go to our action items. We'll skip the first action item because the applicant or the representative doesn't appear to be here yet.

Let's go to our second action item, COA-RS 26-05 request of Castlerock Enterprises for a new single-family dwelling at 1 Hunt Reserve Lane, Middleburg Residences, Lot 36. Miss Rogers.

Amy Rogers: Thank you, Chairman Clites, Members of the Committee, you have the memo for this. This is lot 36 in the stable section, the larger lots. It is the eighth application in the larger lot section. The committee met in 2021 and reviewed elevations, materials, colors and for the homes in this section, all the homes have standing seam metal backed roofs the stables hybrid left design is what is chosen for this lot with a two-car detached garage. The floor plan is 3,497ft². Detached, the two-car detached garage will have a pergola connecting it from the home to the garage, and there'll be a railing along the side of the pergola and along the rear of the property enclosing the back garden area. The front-end right elevations are shown on the screen. Something to note of this elevation. These elevations there is a first story bump out that has a second story balcony railed balcony on it. That's something that you haven't seen before on the application. You can see it right here where the railing is. And then it's this part of the building right in here. This is the rear elevation of the property. The entire front rear side is all stucco and the garage two story garage. I'm sorry two car garage is also stucco. The details are standard as with all the other units for the development. For the color selection the applicant is suggesting a new color, a China White instead of the Bruton White because of issues with the stucco painting on the stucco is giving it a different color. It will have black shutters and doors as well as black downspouts and the like. These are the finished colors for it. There'll be stone detailing the rear and front stoop and rear porch will be the stone water table. And the remaining portions of the house will be the stucco water table. And then it's the same window trim and lighting trim. This is a detail of the railing that will go along the outside of the pergola and the second story balcony. And then just the detail for the fencing. The applicant is here to, if you have any questions for her, and I'd be happy to clarify anything you may need.

Tim Clites: Thank you. Good evening.

Gretchen Yahn: Good evening. How are you?

Tim Clites: We're doing great. How are you?

Gretchen Yahn: Good.

Tim Clites: Good. I'm sure anybody that's listening has seen you before but go ahead and say hello with your name.

Gretchen Yahn: Gretchen Yahn.

Tim Clites: Anything you'd like to add would be great.

Gretchen Yahn: Gretchen Yahn with Castlerock Enterprises. This house, I'm going to do a couple kind of points. This house is in the very back of the stables. If you have the site plan, it will be backing up as well to the conservation area. The biggest thing that I want to bring up is just this China White. So, we've noticed that with the Bruton White in stucco, it is casting a different hue than if it is painted due to the reflective nature of siding versus stucco. In fact, the two Bruton White houses that we've done, we've actually put an elastomeric paint on top of the stucco just to breathe, which is a breathable membrane paint because it's casting a little bit of a pinkish tone that we're not liking. China White is a very classic. It's probably my favorite white

that's out there in any type of cottage that I've ever done. It's usually been China White. Any barn that I've done has been China White. So, the decision since they wanted it to be, you know, to be crisp and light China White was as opposed to going a bright white China White is exactly what it says. It has a little bit of a grayish undertone to it, but a very classic, you know, Ben Moore kind of cottage color. So that is the main reason. It's not that we want to have a Bruton White House next to this. We would still, you know, have that same kind of scenario that if we have that China White, we're not going to have a Bruton White next to it. Okay. And it's just kind of came out of what we're seeing with regards to the color. It looks great when it's painted on the sided house. It's just not giving the same oomph in terms of crispness and clean, cleanliness. So hence the China White request. Okay. This house is very similar to what you see on lot 38 which is the main one what you come in with a couple of the small kind of caveats. We did extend just ever so slightly because they did want an elevator. So, with respect to the elongation of that wing, that's why you're seeing it just a little bit bigger. Excuse me. So, for all intents and purposes, short of that wing in its depth from front to back, that would be the major difference that you'd see between what that house is in floor plan and obviously in elevation being all stucco versus being stucco in stone out there. We will still have our water table at the front stoop, the back stoop, and any kind of stoop that we have here and at the pergola that will all show as a stone water table, everything else will go down to the ground in our stucco with respect to that. So that's it.

Tim Clites: One quick question before we go to the committee. Can you just help all of us understand elevation? So, this lot, as you look down the driveway where I think I know the answer, but I don't. Tell us like, where is it relative to the road? Are we looking down on this lot?

Gretchen Yahn: So, you look slightly down. We will be building this lot up. We're bringing in fill. So, from the extent of where you're up on the main cul de sac and you start to come down, what would be the private road to this house? Right now, it comes down pretty steep and then comes back kind of up. We will be coming elevational, so we're more close to where this is entering the drive from the main cul de sac. So, when we pour this, you will see that our foundation walls will look like it's way out of the ground. Okay, so we will be filling to the front. So, we don't have this as well. We will be having a nice kind of evenness coming through there. So, there is a good amount of kind of front site work just because it does kind of fall off, but our intent is to have it be flat towards the front and then start to fall off to that grade as it goes to the north side of the property. The back will be pretty flat. It'll be very much reminiscent of what you see on lot 38 on the back. And that does then it has a flat spot and then it starts to fall off towards the conservation area.

Tim Clites: Thank you.

Gretchen Yahn: But hence that's why we have the retaining wall in the back, just like we did on 38 to create a flat courtyard space.

Tim Clites: Right, right. All right. Thank you. And I don't know if Steve has been here when we looked at the last one of these, but the color comment has to do with an agreement in the guidelines for this neighborhood that the same color doesn't exist on two side by side houses. So, it can be the same material but a different color. Yeah. And. Right. Margaret, I can talk, she says. [laughter] I didn't think you couldn't. But please.

Margaret Littleton: No, I think it looks very nice. And I understand your thing about the color. And with stucco, it'll leave little shadows all over, so it'll be very close to the Bruton. And this is, I assume, just a case-by-case question.

Gretchen Yahn: Yeah. So, it was doing it. Yeah. It was case by case on this because with it being all stucco, I knew we were going to have to be a little crisper. So that's why I discussed it with them and said, let's move this forward with China White.

Margaret Littleton: Good. No other comment.

Tim Clites: Thank you. Punkin.

Punkin Lee: I was going to ask the same about the China White. Thank you.

Tim Clites: Thank you. Linda.

Linda Wright: My only question was about the fence. I think in the, and maybe I read this wrong. In the example it said 42 inches high or less. And this is 48. Is it going to be 48?

Gretchen Yahn: It's going to be 42.

Linda Wright: 42.

Gretchen Yahn: Yeah, it'll be 42. So, if we want to make that note, I'm sorry, it's 42. And it'll be mainly because of their, you know, dogs.

Linda Wright: Dogs, I figure.

Gretchen Yahn: And then in the back where we have the fence indicated with the kind of X that, yeah, that will actually be kind of within the context of the landscaping. So, you're not really going to see it on the backside or the front side.

Linda Wright: Okay. That's my only question.

Tim Clites: Thank you. Steve.

Steve Simons: I have the same question on the fence that answered that. So good. Yeah.

Tim Clites: Thank you, Cindy.

Cindy Pearson: And did I understand you that you're going to use the other white though on the sidings? Not this China White.

Gretchen Yahn: We'll still stay with the Bruton White on the sidings. You know, this has been a little bit of a case, like I said, by case if someone comes. We first kind of noticed it honestly on lot 18, and that's when I went ahead and I did on these subsequent Bruton Whites. We did a last it's called stochastic. We did a Stolastic Coating because it was just, it just looked kind of almost pinkish in a way. So, when they came to me and said, “We love the Bruton White.” I'm like, that's great. And they're like, but we want stucco. I'm like, okay. So, I just think it's going to live

better with the China White. I would not say that you would probably tell a big difference between the two. Bruton probably has a little bit more warmth to it. The China White has a little bit more kind of gray undertone, [multiple speakers] but I would be challenged to find somebody that's going to notice it. I think you'd notice a difference with the stucco's next to each other. I don't think you're going to see a significant difference with respect to Bruton White in a siding versus a China White.

Cindy Pearson: Do we need to note that will somewhere that we're accepting that or.

Will Moore: Yeah. So, the four colors that they have previously used they're actually not part of your adopted guidelines. Your guidelines speak more generally about colors. So, there's no revision to the guidelines necessary. It just so happened when Gretchen came in very early on and started talking about color selections, they had narrowed it down to those four, but they're not limited by the guidelines to those four. So, it's perfectly fine for you to accept an additional color.

Cindy Pearson: Great. Thank you.

Gretchen Yahn: It's not our intent. Let me just add to this. It's not our intent to deviate off of these four colors. It's just this particular instance was mandating that we kind of go a little crisper.

Cindy Pearson: You didn't think the sunset was just making that house pink, right? [laughter]

Gretchen Yahn: You know, I've looked at it a million different times. Trust me.

Tim Clites: I wished it were just the sunset.

Gretchen Yahn: Yeah, I wish it was. At first, I thought it was just the mud around the house and, but I can see it, especially in the morning light. You can see it.

Cindy Pearson: The only other. I just need to make this comment. I hadn't looked at one of your elevations, you know, in a while. And when I look at this right elevation with all those windows and doors, there's not a whole lot of house in between. I mean, there's so much on that side, but I get it. It's part of it.

Gretchen Yahn: Yeah, this elevation will be the one that will be facing actually towards the conservation area to the kind of what I call north northeast. All right. And then one of the reasons it looks like there's a lot is down in that lower level. Those will be stackable that will be pocketed all the way back.

Cindy Pearson: So, do they open all the way?

Gretchen Yahn: They do on the bottom. They wanted to have a pretty significant media rec room down there. So, you know, that would be the difference that you would have seen on 38. It was still a wide breadth of windows, but not, I mean, doors, but not to the extent that we have here. So, you are correct. Yeah. Okay.

Tim Clites: Thank you, Cindy. My only comment or observation was around the box bay window with the balcony. And I think given the that's why I asked about the site and like, how does it sit and orientation around visibility? I think realistically from a public way we will probably never see this until it gets built and planted in. I think it wouldn't look as good if it was in a more prominent place on one of the other buildings. Right. There's just something about the way that it cantilevers, I guess the middle story or the projecting bay is all painted white panels or is it stucco panels inside [multiple speakers]?

Gretchen Yahn: I had that as panels. And then yeah.

Tim Clites: Yeah. It looked like there's a little stucco below the balcony above the window.

Gretchen Yahn: I'd probably use probably trim there, too.

Tim Clites: Probably more panels [multiple speakers]

Gretchen Yahn: Yeah. Panel up at the top. Just in terms that I can make that note if you'd like.

Tim Clites: No, I just I figured that's what you were doing.

Gretchen Yahn: Yeah.

Tim Clites: Anyway, I mean, we yeah, this one looked to me like a cad, as you know what I mean? The way it projects out, it's just a little, it's a little top heavy. Like if it were on a more prominent elevation, I'd probably want to see something a little different but.

Gretchen Yahn: You'll see in the site plan it's facing you. The way that the house is going is it's on a kind of like a cant away. So, it's really canting towards that side. So could lot, you know, 39 see it?

Tim Clites: Yeah. But I mean, but right [multiple speakers].

Gretchen Yahn: I agree.

Tim Clites: Right. So otherwise, and the only other thing I noticed, I don't know that we've seen this before. I had the layoff, I was like, oh, the shutter fell off the window. And then I was like, no, that's an intentional thing. But I guess you just did that on those little kind of square windows as a way. [multiple speakers]

Gretchen Yahn: Yeah, we've done that on a couple of them.

Tim Clites: And I think that's.

Gretchen Yahn: I will note that he did not, which we will be you know, these houses, we have the cross on the Z, we would have Z on that back elevation one as well. I just saw that actually.

Tim Clites: So, the back.

Gretchen Yahn: Back of the garage there, that right elevation of the garage there.

Tim Clites: Right.

Gretchen Yahn: That would be a Z, and I could annotate that, so it matches our other ones.

Tim Clites: Understood. Does everyone understand that that little square shot or under the square windows that all be the same with the cross brace?

Gretchen Yahn: I just saw that.

Tim Clites: Any further comments from the committee? I like the China White. I think it's yeah. And I like the fact that we're thinking about it as instead of Bruton White, not in addition to. Yeah, I think it's a nice color. And I certainly understand the issue with, you know, different materials taking or showing color differently.

Gretchen Yahn: It's really crazy. You can take a piece of siding, put it right up against that stucco and it looks like the same. Then you go away from each other and they look different.

Tim Clites: Something happens. Yeah. Right. Right. Okay.

Steve Simons: I have just a quick question.

Tim Clites: Yes.

Steve Simons: It's more of a curiosity thing, but on your what's marked as a right elevation on the I think it's the rear of the house. On the second-floor balcony, a little bit of roof to the right of the dormer. How are you going to deal with the downspout on that section if it comes? [multiple speakers]

Gretchen Yahn: We'll take it down on the right-hand side there, and then we'll probably be in a situation that we will take and have to either Y like I probably Y into this one instead. What I'll do is I'll actually take it down to the lower roof and then bring it down.

Steve Simons: So, it'll be the one to the left of the larger door.

Gretchen Yahn: I may have to take it straight down and then and I'll have to internal have an internal ringleader.

Steve Simons: Just curious.

Gretchen Yahn: That's probably the best way I'm going to have to deal with it.

Cindy Pearson: Maybe they'll have an outdoor shower when it rains.

Gretchen Yahn: That's right.

Cindy Pearson: Could I ask how many houses there are now built or being built?

Gretchen Yahn: Like 22, I think. Yeah. And we've got another one getting ready to go. It's good for everybody's property values in Middleburg, I can tell you that. [laughter]

Tim Clites: Okay. Any other comments on the application? I move that we approve as I'm sorry, somebody's dog's barking. I didn't realize we brought a dog. [off mic] It's your husband. What? That's a strange bark. No. Just kidding. Sorry. I'll stay focused. I move that we approve as submitted including the China White as a substitute for the Bruton White.

Steve Simons: Second.

Tim Clites: I have a second. All those in favor?

All Committee Members: Aye.

Tim Clites: Any opposed? Any abstain? Motion passes. Thank you.

Punkin Lee: Thank you.

Punkin Lee: Thank you guys.

Tim Clites: All right, give me just a second. I lost my agenda. Okay, now we're back on to item COA 26-18 (S 26-11). Request of Pable Enriquez for a free-standing sign and outdoor furnishings, umbrellas at 12 South Pendleton Street Nido. Miss Rogers.

Amy Rogers: Chairman, Members of the Committee. You have the memo on this. This is Nido Coffee and Tea. It is on the same lot as Nature Composed, but it's the cottage that is accessed by a West Federal Street by a little alleyway. It's the former Blue Water Coquina. They're requesting a sign and outdoor furnishings umbrellas. They're requesting a 5.4ft² freestanding sign on an existing post. It'll be carved and painted extera. The background will be Benjamin Moore Hunter Green with the lettering and logo and Benjamin Moore Ivory Tusk. The existing stone will be restained and oiled. The applicant's representative has brought samples for you, if you'd like to see, as well as a stain sample on that. They are also requesting street furniture; umbrellas they are tan in color with a five-foot four-inch radius. We, the committee, has no specific criteria yet on umbrellas. We're currently working on that guideline for those. They will be on the existing wood railing that is delineated that delineates the patio. I have highlighted that on a photo you can see in the air photo that where the railing is located. And they will be the tan color. I can answer any more questions.

Tim Clites: Thank you. Very helpful. Is the applicant here? I'd like to add any comments before we deliberate.

Nicole Madden: And Nicole Madden from the Quail Run Signs vendor. I don't have any additional comments. Thank you.

Tim Clites: Thank you. Welcome.

Nicole Madden: I do have all the samples though.

Tim Clites: Okay. Well, I guess it wouldn't hurt to maybe just bring the samples and set them somewhere in the middle. And then, as folks have any questions or comments they can, particularly the wood sample, I think is a nice option to see. [off mic]

Nicole Madden: Sure.

Tim Clites: Sure. You can just. Yeah. So, Margaret.

Margaret Littleton: I can talk again. I think it's lovely. I like it very much. The umbrellas are already there. Right. Are they going to be different? There are.

Punkin Lee: To me, the umbrellas look like what Nature Compose has over their plant racks. They're the same thing.

Margaret Littleton: But in that way where they will be eating or sipping in her yard?

Punkin Lee: Existed in the back room.

Margaret Littleton: Okay. Yeah.

Punkin Lee: But they look like they match what's already there.

Margaret Littleton: It doesn't matter to me. I think it's great.

Tim Clites: Thank you. Thank you, Margaret. Punkin.

Punkin Lee: I think the sign is nice, it's going. It is the same size as the blue water one that was there before.

Nicole Madden: I think it's like a one inch smaller Just a bit. A little bit nicer on the post.

Punkin Lee: I think that's nice. I think the umbrellas are a little hard to sit out in that yard these days. Thank you.

Tim Clites: Thank you. Linda.

Linda Wright: No other comment. I think it's very nice.

Tim Clites: Thank you. Steve.

Steve Simons: I would say that the round sign differentiates itself nicely from other signs in town. It's a different shape. So, I think that is an attractive addition. Do we have any more information on how the umbrellas are to be affixed to that countertop? I understand you just say they're going to be connected to the countertop.

Amy Rogers: I believe there's like a hole in that railing that they slip down into is what it looks like.

Steve Simons: And then into a stand of some sort at the bottom.

Amy Rogers: Right.

Steve Simons: And will those do? They remain up all the time, or do they take them down in the evenings? Or how does that? Do we have any?

Amy Rogers: They should take them down, especially after when they're not open. Typically, that's what they do, and they leave them closed when they're not open and open them up and when they come in the mornings.

Steve Simons: Okay. Thank you.

Tim Clites: Thank you. Cindy.

Cindy Pearson: Not really any comment on this because this sign looks great and the umbrellas are fine. But once again, when you're coming down South Pendleton to go on West Federal to see up that site, that line is really hard. And it's not just their sign. It's because there's trash cans, there's plants, there's everything else. So, if it could just be cleaned up a little bit there, I think it would be helpful to see a little bit better.

Steve Simons: There was a tree at the end of Pendleton that Jennifer took out of there because the folks across the street from that had requested it was blocking the view down Pendleton.

Tim Clites: Steve, if you could do me a favor, leave it lean in a little bit so we all can hear. [multiple speakers] That's all right. Thank you. I'm interested in what you're saying. Let's hear it.

Steve Simons: So, there was a there was a previous request with a neighbor across the street on Federal when they opened their shop Jen had a large pine tree that was on that corner of Pendleton and Federal. And she ended up taking that down on the other side of her building. There was a large crape myrtle that was taken out to also affect opening up that streetscape somewhat.

Tim Clites: So, it's better than it was.

Steve Simons: Better than it was.

Tim Clites: It was. Yeah. And I guess, Cindy, your point is things continue to grow. So, a little bit of.

Cindy Pearson: [off mic].

Tim Clites: Yeah. So, I think that's a comment. Yeah. If staff could pass that on with the approval that would be great. I don't know that we specifically can do anything about it, but it's certainly a worthwhile observation. I don't have any further comments. I do just want to I hate to even bring this up, but I know Mr. Moore and this committee spoke about the lights a year or so ago. Has that all been resolved in a manner that we're all satisfied with?

Will Moore: I don't know if they're still up or not. It has been passed along to the operator here that they are required to come down. So, if we have to follow up with formal enforcement, if we have to take it to that step, we will.

Tim Clites: Yeah. I think, well, this is just an opportunity to again, include that. Because, you know, we've tried so hard both in our ordinance and in other places in town and with other applicants to try to limit that, that I think it's worth reinforcing again. Otherwise, I have no comments. I think the signs are great. I agree with all the comments we've heard. So, I would move that we approve the sign as presented.

Margaret Littleton: Second.

Tim Clites: All those in favor?

All Committee Members: Aye.

Tim Clites: Any opposed? Any abstain? Thank you.

Punkin Lee: I have a question. Do you know what the symbolism of the feather and the.

Nicole Madden: I actually don't know, but it's nice. It's nice. Yeah. Yeah.

Punkin Lee: I was just curious because.

Margaret Littleton: Natives.

Punkin Lee: Yeah.

Nicole Madden: Yeah.

Punkin Lee: I don't know. I guess we'll have to ask sometime.

Nicole Madden: Yeah. Yeah. That is an interesting question. Yeah.

Punkin Lee: But the sign's nice. Thank you.

Nicole Madden: Yeah. Thank you. Appreciate you. And Happy fourth.

Tim Clites: Thanks. Same to you. All right. Our next is discussion items. Let's go to outdoor and rooftop dining guidelines. Miss Rogers.

Amy Rogers: Okay. So last month we discussed these guidelines and there were several comments that came out about we'll start with the umbrellas. I believe we had had; we had tried to explain lower level. So, we decided to look at it a little differently. Instead of trying to explain what the lower level was, just say they couldn't be on upper story. So, they cannot be there. And it was keeping in the same fashion as the rest of the shall not, shall not, shall not, shall not be allowed on upper story decks, balconies, or rooftops, so that umbrellas would stay at ground level, street, first floor, floor deck, or even a basement that may come at below ground level. So that was that change. The lighting, there was a lot of discussion about the bulb and the lumens

and the different types of things. So, I added warm light by the 2700 K to 3000 K for, you know, layperson that wouldn't really know what that was, that they're looking at the warm spectrum versus the cold spectrum. And then to try and answer the lumens question, just to use the lowest level lumen as a guideline that you possibly can. I will tell you, I went and researched these table lights trying to find lumens and Kelvin and I couldn't find anything. So, you know, again, it's a guideline to try and find what someone was selling on that front. And then the rooftop dining. So basically, the committee doesn't want to see anything is what we're hearing. So rather than go in and list all the outdoor elements that you don't want to see, we just said outdoor elements and added those, added those kind of things in the first paragraph when you start to read it, here's our outdoor elements that we want to regulate. And that can be allowed as long as we don't see them or you know, or where they are. And then items that you don't want at all pergolas, tents, umbrellas on rooftops, we added those specifically. We left safety railings as separate because anything on a rooftop from a building code standpoint is going to have to have a safety railing, and building code is going to dictate the height on that. So, while you don't want to see it, building code may dictate something that at some point might be seen. And there's really no way around that. So, we added that at the lowest level possible. And again, modest constructed and that it meets the building code to try and cover what you don't want to see, but as well as if you approve something and the building code comes back and says there's got to be six inches taller, you know that that's another code that I think would overrule. I don't know, I again, I don't know, it will, but it's just something to consider there. And then with our application that was here, our only rooftop dining application you had suggested at that meeting that it was possibly for an awning. So, we pulled awnings out as a separate item and said that they'd be reviewed just based on the awning guidelines. If you want to consider an awning for coverage. So that's kind of how we handled the comments from last month. Any questions about that?

Tim Clites: Thank you. We'll go through and yeah, there may be some questions. Margaret looks like she has the first one. Come on Margaret. [laughter]

Margaret Littleton: I don't know much about lighting, but you say warm light 2700, 3000 and then it says two white light is B is white and warm. They're different, aren't they? I want you to talk about that.

Steve Simons: So, a white light is going to be something usually above 3000 kelvins, where a warm light is going to have sort of an incandescent yellow glow to it.

Margaret Littleton: Which is what we want.

Steve Simons: Which is what is preferable in most cases? Most lighting companies that manufacture bulbs and or fixtures it's a pretty common color temperature in the 2700 Kelvin range. 3000 is just slightly whiter but doesn't get outside of the spectrum a great deal. So, I think that would be allowable in this case because there are some it is challenging sometimes to find fixtures that meet that requirement. The other thing that we've talked about considerably is how bright are these lights? In other words, how many lumens do these lights have? And so, I think the way to sort of work with applicants on this it’s hard for us to establish a lumen rating for what's allowable and what's not. But I think if we were to somehow work into the picture, some kind of a requirement to have that on a dimmer, it would be more controllable in the long run. So, if there was one. Somebody had a particular large light that while it may be compliant with our requirements, if it appears to be too bright, it can be toned down without having to change the fixture or cause other issues. Just a thought.

Amy Rogers: If I can add, this is specific to tabletop or ground level accent lights. So, I believe white probably meaning more clear, perhaps because it was talking about bulb color in that sentence. So, I don't know if it should be clear bulbs only or.

Tim Clites: Well, yeah, let's not, let's not say cool. I'm sorry to jump in. Let's not say clear bulbs because some of the LEDs with clear bulbs is actually a fairly harsh filament to look at. I think item B for me says white lights only and then the semicolon, no other colors or no colored light. Right. Or and so I understand white to be that or any other Kelvin temperature that's white not yellow, green, blue, orange, purple. Those are colored lights. I think that's what we were after in that portion or that line. Is that right? Yeah. So, I don't know how else to describe it except to say that it's white. And the item before described that it would be warm. So, I think we've covered that base clearly enough. Go ahead.

Margaret Littleton: I trust you.

Tim Clites: All right. Well, that's it. Thank you.

Margaret Littleton: Would we add to the rooftop department? No music or a, you know, loudness. You know, sometimes people like to dance on rooftops.

Amy Rogers: We're going to be covering that under the zoning ordinance section. The noise part of it.

Margaret Littleton: All right. Well, that just stood out to me.

Tim Clites: Thank you. Punkin.

Punkin Lee: I don't have anything right now, but I'm sure.

Tim Clites: Thank you. Linda.

Linda Wright: I don't have anything to add for what we went through last month, so no.

Tim Clites: Thank you. Steve.

Steve Simons: This is probably a dissenting opinion, but on 7C other roof coverings. I take a little bit of pause with that simply because I think there would be there may be an instance where you could have a traditional roof structure on a building, but it was open beneath that still worked with the architecture of the building and didn't stand out like it was a pergola or something that was meant to be a ground structure necessarily, or a temporary structure like an awning. And it covered awnings in the sentence below. But I think that really narrows it down too much. And if we're going to allow for rooftop access. It's going to leave people potentially really exposed. And you got no umbrellas. You got maybe an awning on a case-by-case basis. And that's a hard no on some kind of a rooftop covering. I think it would necessarily be a case-by-case basis in my opinion, but it could be considered but not specifically allowable. But I think it's that's open to the particular location of the building, the height of the building, the architecture of the building and certain other factors.

Tim Clites: To use an example that went through my mind The Red Fox at one point had a second-floor porch, front porch with a roof covering that arguably, if it was still there, someone might want to put dining there. That's what you're saying right. There could be a case, a scenario where the architecture supported a roof or a covering of that area.

Steve Simons: Yeah, because our only reference point right now is the current excuse me, applicant. I think there would even be an opportunity on that building that would look much more attractive than anything that's been presented thus far. I'm not saying that we suggest that to them or even consider that at this point, but I would have if that was my project, I would have come with something to the table differently on that. But I think there's, you know, I think there's we're limited on how many buildings in town are going to potentially be accommodated for this type of space. There's not a lot of room for new construction in town either. In areas that would be successfully operating as a business. So, I think it's limited on how many occasions we're going to see of this. I would hope, but I think just closing the door on it will potentially close off a potential solution to a significant challenge.

Amy Rogers: If I may add this wasn't intended to preclude structural roof coverings. It was more, you know, cloth or some other type of. So maybe we added nonstructural roof coverings in front of that to cover. If someone wanted to do an overhang of some type that you would find acceptable would that take care of the issue?

Cindy Pearson: Yeah, I understand what you're saying because it could include a lot of other things. Those sail type covers. I mean, there's a lot of stuff. So yes, if you added that it would clarify that statement.

Tim Clites: Now you define that non-architectural. Maybe you get rid of the word roof other elevated coverings not permitted.

Steve Simons: Could it be non-permanent coverings?

Tim Clites: As opposed to using the word roof. Roof, now we're into architecture. We have the purview over architecture. Right. So maybe that's the word that we get rid of because you know we're talking about again things we've considered. I'm sure someone can find something that we haven't considered. So, keeping it generic might be the way to go.

Punkin Lee: It also seems if you add the word roof, you got to have some kind of structure to hold the roof up. So how do you? Which came first, the chicken or the egg, so?

Tim Clites: Well then that's in our purview.

Punkin Lee: Right, I know.

Tim Clites: We can look at that and talk about that. Right? Yeah. Thank you. Where were we? Steve, were we with you? Thank you. More comments?

Steve Simons: No. Thank you.

Tim Clites: All right, Cindy. Thank you all for that discussion.

Cindy Pearson: No others. It's kind of been talked about. I'm good.

Tim Clites: Thank you. My only comment had to do with safety rails. And the one applicant that application that we've had the opportunity to look at. We encourage the reduction of the space and the distance from the parapet wall, which was in an effort to reduce the amount of rail that we would see which the byproduct of that is it doesn't allow people to get as close to the edge of the building and therefore look out and over the public pedestrian way, which is what I find most offensive in our village about the whole idea to begin with. Offense is too strong of a word. Inconsistent is a better way to say it. Generally inconsistent with our village, so I don't know if it. For me, I was just a little unsure of is it really the height of that or is that maybe Mr. Moore can help? Is that something that we negotiate on a case-by-case basis around what we can see from a public way?

Will Moore: Yeah. So, you have two. You have a couple of options here. One is to just eliminate that guideline, which would then have you revert back to the it, the rail being an element which you don't want to see period. And that's perfectly acceptable. I actually added this I think I messed up Amy here, I added that particular guideline for your consideration with the thought that if for some reason somebody is arranging a rooftop space and they can get all their tables and serving stations and everything so it can't be seen, but for some reason, for safety purposes, the rail has to be in a place where it could somewhat be seen that that wouldn't disqualify the entire space. But it's perfectly acceptable as well to just stick to the guideline that none of the outdoor elements should be able to be seen from a public way, which would include the rail. So, we could eliminate that one if that would be your preference. I was just leaving a little flexibility in there. If someone was able to again, get all the other things away. But for some code reason, safety reason, which we're not experts on the rail would still peak up a few inches, and in which case we would still want it to be as low as possible and still meet code requirements.

Tim Clites: Yeah. Thank you for that clarification. And, you know, I think honestly, if the application that we approved a couple of months ago gets built, there are spots where we will see parts of that rail from town. So, I don't find it completely offensive. It was just something I wanted the committee to consider. Right. In my mind, if this is the parapet, right, we don't we don't want the right. We. But I guess that's part of our negotiation for what we see from the public way and whether it's appropriate, given the building it would be on and whether it's on a main or a secondary or back street. So, any other comments on that from the committee?

Steve Simons: Just another quick comment. Will we apply these same guidelines in a commercial setting as well as a residential setting?

Tim Clites: These guidelines are only applicable in the Historic District, which is predominantly all commercial. You said in a commercial setting the same.

Steve Simons: Or residential setting. So, there are some mixed-use buildings in the Historic District that potentially residentially could come up. So, if somebody wanted to have a rooftop outdoor space, would we not allow umbrellas? Would we not allowed with the same guidelines and then follow suit for residential, or would we have do we need to talk about a different guideline for residential versus commercial?

Tim Clites: That's a good question. I have a reaction, but I'll pause and let the other Committee Members comment on that. It's a great question.

Cindy Pearson: I was just at Colonial Beach this past weekend, and they built a lot of new homes, and a lot of them have rooftop areas now. Not everyone. I guess it's, you know, what you wanted, but I can see what you're saying. I can see someone wanting to do that.

Tim Clites: So, the question then is we're trying to create guidelines. Do we want that in our Historic District regardless of use or does use change how we feel about this?

Punkin Lee: I think we always refer to it as the Historic District and never refer to it as commercial. And if it's historic, it should follow the historic guidelines because that's the district, I would think. Can I jump back to the if visible, the safety railings. Because if visible, as we saw from the only applicant, we've had is in the eyes of the beholder, depending on what they want to build. You know, we had some discussion on if you stand here, you can see stuff and if you stand there, you can't. But you can still see. So, if visible and they want to plant a tree, then I mean, I don't know, it can kind of get a little dicey there either. To me, it leaves it open because we had a few of those comments. We were seeing stuff from the street and the applicant wasn't so.

Tim Clites: Right.

Punkin Lee: If you that's what I mean. If you leave the if visible, then who do you go with?

Tim Clites: Yeah. I guess if visible it isn't a requirement one way or the other. And so, if, it's visible then.

Punkin Lee: Or when visible when kind of leaves it may be a little more closed. I don't know if that's what I see. What do you see? I don't know, maybe when is the same thing, but it just seems like that's, that can be a can of worms for something as simple as a safety railing. Yeah.

Margaret Littleton: I agree with Punkin.

Tim Clites: What did she say? I don't know. Maybe the staff could let us know whether that is something we need to parse more closely.

Amy Rogers: Whether to use if or when. Is that what we're or whether this is residential or commercial?

Tim Clites: I think. Well, one thing at a time. Let's go to residential commercial that's a good question. I kind of align, at least in my mind with Punkin, where yes, we have residential, we have commercial, a couple of other, you know, uses that are neither residential or commercial. I don't, I haven't been thinking about this guideline. We started with it as guidelines for outdoor dining. It was kind of dining only. And that's turned into including rooftop dining. I mean, I think arguably it hopefully includes any rooftop space. We don't have rooftop space. You know, still a question. If someone comes and says, I don't want rooftop dining, but I want a space on one of our flat, one story or two-story buildings and they want active space up there. If we can't see it, there's nothing we can do about it. If we can see it, we want some way of regulating it, so I don't for me it's not so much a use question. I'll use a recent project we did as an example at the far end of town as you enter from the east, we designed an addition to that house and had we decided

that the screen porch should have a flat roof with a railing around it, because that would be such a great place to sit and look out across their little adjacent field. You all would have had purview over that to say that doesn't seem appropriate. And so, I feel like that's a residential example, but I think whether residential or commercial, if we see it, we have the ability to talk about it. And if we don't, then it doesn't matter what the use is.

Punkin Lee: Well, in the past, residents that have wanted to do stuff, and we have a lot of houses that come through. They all come under the historic guidelines. So, it seems like that would be the if we change horses midstream, then the people that followed the historic guidelines, it's like, why can't I do what I want? I don't know. I think if you're in the Historic District, you're in the Historic District and the guidelines are Historic District guidelines.

Tim Clites: All right. Are we comfortable to hold it at that for. All right then, let's go back to the safety rail, if visible or when visible. I think if for me suggests that they may not be if, when visible, suggests that we're expecting they're going to be visible. I think it's an if question. Does it have to be visible? Like I would want the ability to say, well, it's only if it's visible, but we would like you to push it back because we would prefer, in this instance, given the prominence of whatever you're presenting to us, to not see it. So, if doesn't guarantee that it can be visible. Mr. Moore.

Will Moore: I think the best thing is just to omit that line, and then we'll treat the rail as an outdoor element, and it cannot be visible. And the litmus test there is, if somebody puts up a rail and I can see it, there's no question. There's no debating. Yeah. So, I think that's the best approach to that, that will make that less of a concern.

Punkin Lee: Thank you.

Tim Clites: May be permitted where the outdoor elements are not visible. And so, we assume that captures all outdoor elements.

Will Moore: Yeah, we're going to spend a little more time, I think, on the very first paragraph, on the first page. Okay. And we may even do an including but not limited to knowing that outdoor elements, any list that we put together is at some point in time, not going to be all inclusive. Somebody will come up with something else and I'm going to, when we're done with this conversation, I'm going to show you a picture of what that might look like.

Tim Clites: I can't wait.

Will Moore: The something that I.

Tim Clites: I think I've seen it.

Will Moore: Could not.

Tim Clites: Have pictured.

Will Moore: You might have seen it.

Tim Clites: But I like your I like the direction you're headed there. Which is to say like including but not limited to railings and other things that could be architectural in nature and necessary for the building code. But in our view, we would like to not see them. I think that's a good approach. Great. Margaret. So, any other comments from.

Punkin Lee: That leaves the door open also for discussion.

Tim Clites: That's right. Yeah. Any other comments from the committee. Staff, what do we need to do with this? It's a little more comment. Are we do we feel like we're close enough to maybe in the do we have to publicly do anything in a public. I mean, this is a public meeting. Do we have to advertise or do anything to get this ready for approval? Or can we adopt it and send it to the Council?

Will Moore: I don't think it requires any kind of a hearing but let me double check on that and then we can have a motion ready for you next month if it requires some additional public notice. We can take care of that in between now and next month.

Tim Clites: Perfect. Thank you.

Will Moore: So, if I may, to the point that we just discussed, I don't I'm just going to say this on record. I'm not picking on Mr. Ashe. I am personally as a staff member here, very happy that something is actively happening at that space here in town right now. So, but this is his project in Leesburg. I just wanted to show you a picture that the Mayor shared or two pictures the Mayor shared with me. Should pop up here in just a moment. This is something being craned onto the top of his rooftop space in Leesburg. And then here's another space, a picture of it in place. So, whatever you call this three-wheel vehicle. It's being used as some kind of like of an outdoor element to serve beverages from, I think, on top of the space in Leesburg. So yeah, so to the point that an outdoor element, we might not ever come up with an all-inclusive list of what they might be, I don't think anybody would have necessarily contemplated this vehicle being placed up there. So, it's Yeah.

Tim Clites: Well, and by the way, I agree with your sentiment. If you go to the second picture I like there's people in the foreground, there's people across the street. Like, I get it. That's so awesome. Like I would enjoy that myself, but I wouldn't feel like I'm in Middleburg. That's my only, that's the only reason I keep beating the drum. Right, they're wonderful spaces. And in the right context, they're absolutely appropriate. But mostly in this town, that's going to be a tough context to have. But the ice cream truck's a good idea? All right. What else do we have? I think there's a few things Rhonda would like to go over with us. Most of the, I'll let her speak to this, but I think some of this we're going to defer to our next meeting when we have a more full committee. But Rhonda, you want to walk us through what you'd like to go over tonight.

Rhonda North: So. Sure. I mean, we had planned on doing the appointed officials training. This is a training that the Council has asked to be given annually to each of the committees, and certainly to new Committee Members, which Steve has not ever had. And there have been some changes that I feel like this committee needs to have the training soon. Unfortunately, our air conditioning is not working very well in the building this evening. It's a little warm. So, I suggested to the chairman we may want to defer this to the next meeting and that will also give our two absent members the chance to hear it. But there is one item that I did want to raise to your attention, because it was a change in the law that took effect yesterday. Senate Bill 699

requires that in the case of items that are added to the agenda after the meeting starts, that final action not be taken on those items unless they are of a time sensitive nature or they're result of a closed session, which you all very rarely go into closed session. So, for you all, it's mostly going to be of a time sensitive nature. So, if you did have to add an item to the agenda after the meeting started there are a couple of things that you can do. You can refer it to the staff for more detail. You can refer it to a subcommittee, or you could refer it to the next meeting for action. And there is a definition of what final action is in the state code that is beyond just a vote. You know, it's reaching a consensus. It's adjudication. It's anything that essentially says the matter is final. One thing and I was mentioning to the Chairman is I know, you know, frequently an applicant will come in, and you'll be discussing an item, and they'll say, oh, I need lights or, oh, I forgot to add this. Can we add that? The one thing the law is not clear on is what the addition of an item is, you know, is that the complete agenda item or is that a component within the agenda? And the town attorney and I have been discussing it specifically because this committee probably applies most frequently to, you know what that means. Bottom line is until there's a legal challenge and, you know, we've got some court rulings. We're not quite sure what that means. What we would suggest is that, you know, in the meantime, you be cautious about trying to do that. If you do have to act on something because it is time sensitive, the town attorney has recommended in the motion you explain why it is town sensitive, so that if there is ever a legal challenge, then it's on the record as to what the time sensitivity was. So big change you know, in how things could operate. So, I just wanted to bring that to your attention because like I say, I think this committee is probably the one that is most impacted by that change in state code. It's a transparency issue. You know, it also requires the posting of the agendas to the website, which we've always done. There was always another town state code section that required that anyway. So, I mean, I thoroughly understand it, but in practice there could be some hiccups. So, I wanted you to be aware of that.

Tim Clites: Awesome. Thank you. It's very helpful.

Rhonda North: And we'll just delay the training to next month.

Tim Clites: Okay. And so, on the training, I know we're going to go over this next month, but I just have to add, I did try to read through some of this and code of ethics and standard of conduct on page. You can do this later. Standards of conduct starts on page three. And when I read down through that, I had to say that it really made me grateful to be in this particular town because I've got a little homework, which is to make a conscientious effort to be prepared for each meeting and to be concise. I got my work cut out for me. But between those two things, number four and number nine, there are four lines that I won't read them now, but they're worth reading because they really express what I think. The not just this committee, but every committee, the Town Council, the community here tries to live in their service to our own community in a really positive way. And we're aware more and more that, that doesn't happen in every community. So, I just wanted to kind of express my gratitude for like, I feel like we're in a really special place, right? We have disagreements and we have times where we don't all vote the same way or we don't all agree, but I think we handle things with respect and a positive environment and an attitude of courtesy and et cetera, et cetera. So read that before the next meeting. I think you'll feel really glad to be where we are. That's it.

Punkin Lee: So, you are going to stay on for a long time. Right?

Tim Clites: I'll get off my soapbox. Nope. I'm done in 2027.

Punkin Lee: I don't think so.

Steve Simons: Just ask a clarification question on the additions to the agenda items. So, if there is information contained within the applicant's application and they, it's incorrect. Let's just take Gretchen's application, for example. There was some different information about her railing height. Is that clarification okay or do we need to? [multiple speakers]

Rhonda North: Yeah, that's. Yeah, she already had the railing on the agenda. So that's not a.

Steve Simons: That would be. [multiple speakers]

Rhonda North: That's not an addition, an item. I mean, I think the classic example here is, you know, somebody comes in with a sign and the committee says, “are you going to light it?” And they go, oh yeah, I need a light. I mean, depending on how the courts are going to interpret this, that could be an addition. It could not be an addition. Like I say, the state code really doesn't define what the addition of an item is. And until we have some court cases, we're kind of flying blind.

Tim Clites: Because the sign was an item on our agenda.

Rhonda North: Yes.

Tim Clites: But the light was not.

Rhonda North: Yeah.

Tim Clites: Right. So easy enough. I'm glad you gave us the heads up if we bump into that. I think the easy thing to do is actually what I understand the best thing to do is not even discuss it, because in discussing it, we may reach some conclusion. So, if that were to come up, we might refer them to other, right just say for next month, you should look at this or that.

Rhonda North: Yeah, refer to the next meeting.

Tim Clites: But we really shouldn't discuss this because it's not been. Yeah. And that's if it happens, I think we're all aware of what we need to do. Great.

Rhonda North: And, you know, we'll either get a court case, or we'll get a change in the state code, which will throw everything else into.

Tim Clites: Rhonda just doesn't want us to be the court case.

Rhonda North: I don't. [laughter]

Tim Clites: That's her point. Right. And we appreciate your help with that to help us understand what the right guidelines are. Meeting. Yes, Punkin.

Punkin Lee: [off mic] JARB.

Tim Clites: JARB was great. We don't have an official vote, but our submissions were well received. They are hoping you know, last year was it last year? We didn't get our submissions in, in time and they gave us a little window of some additional time, if I remember that correctly. So, there was one community that didn't get submissions in, but we're hoping they will get submitted by what was that August or something so that we can vote in August. On kind of, you know, something from every jurisdiction, but, and there's some, I don't want to go off record, but there's some possibility that we can do the awards event. We're suggesting maybe we try to host it here in Middleburg somewhere. [off mic] So I'm sorry. We're working to potentially host the awards here in Middleburg somewhere this year. No commitment to that. That was one of the things floated. So, I'll let you know more when I hear more. Thanks for bringing that up. All right. Meeting quorum, August 6th. If you can't make it, let the staff know and we're adjourned.