

**MINUTES**  
**ALEXANDRIA HISTORICAL RESTORATION AND PRESERVATION COMMISSION**  
**8:00 a.m.**  
**Wednesday, May 11, 2016**  
**Lloyd House, 220 North Washington Street**

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In Attendance: Barnes, Batey, Commisso, Murphy, Sennewald, Sprinkle  
Excused: Edouard, Yianilos

City Staff: J.Lance Mallamo, Director, Office of Historic Alexandria  
Al Cox, Historic Preservation Manager, Planning & Zoning  
Department

Guests: Brennan O'Leary, Andrew McDonald, Robert Montague & Chuck Trozzo

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Chairman John Sprinkle called the meeting to order at 8:07 a.m.  
The Minutes of the March 9 meeting were approved. Motioned by Michael Commisso and seconded by Melissa Barnes.

**ALEXANDRIA ALLEYS SURVEY**

Nothing new to report.

**POTOMAC YARD METRO STATION**

Nothing new to report

**WATERFRONT PLAN**

Nothing new to report

**EASEMENT (Moved up on the agenda)**

**6 King Street, 102-104 S. Union Street Easement**

Brennan O'Leary described the project which concerns routine maintenance repairs to the building including replacement of a portion of the slate roof, coating the metal roof, repointing the brick and a portion of the stone elements, painting the millwork and cleaning the brick.

A preservation easement exists at the 104 S. Union Street, east facing elevation. Al Cox, Historic Preservation manager with P&Z reported that the detailed stamped specification/project manual as well as the stamped details of the maintenance repairs have been submitted to BAR for review. All work shall be performed under the supervision of Construction Insight Inc. which is a licensed Structural Engineer within the Commonwealth of Virginia. Motion to approve, unanimous.

### **RAMSEY HOUSES**

Al Cox reported that ARHA representatives will be sending out a notice outlining the Section 106 process for demolition/partial demolition of the subject property to all consulting parties within the next week.

### **AHRPC POLICY #1**

### **EASEMENTS**

#### **420 South Lee Street**

There was an extensive discussion concerning the enforcement of the easement at 420 S. Lee Street which appears to be outside of compliance with previous decisions of the Commission. Former property owner Andrew McDonald offered his opinion that a number of issues concerning the historic preservation and open space easement on the property appear to have been violated by the new owner and he expressed his concern that this was not in compliance with his parents intent when the easement was established.

Mr. Mallamo reminded the Commission members when the property was for sale by Mr. McDonald, he expressed concerns that the easement conditions were negatively impacting his potential sale of the property, and the Commission agreed to meet with the current owner before a contract for purchase was executed on the property, for a discussion on the easements terms, and a conceptual review of what projects might be approved within the context of those conditions. The potential owner was advised that this was a general discussion only, and that all potential changes or alterations would need plans and specifications submitted to the Commission for advance approval, before application to the BAR.

Deborah Osborne outlined two options that could be pursued by the Commission to enforce compliance with the terms of the easement.

1. The Commission files a lawsuit against the property owner (or vice versa) and a trial judge issues a formal decision which is binding on all parties, and sets a precedent for future enforcement.
2. Both parties enter into a voluntary legal process, called Mediation, whereby issues are resolved through negotiation by representatives for each side. The results are drawn up in a formal document that each side agrees to adhere to, with all rights preserved to go to court at a later time if the terms of the agreement are violated by either party.

John Sprinkle indicated that the Commission needed to act on the current issue to maintain the integrity of this and other historic preservation/open space easements in the City of Alexandria. Deborah Osborne suggested that the Commission first needed to do fact-finding to establish the

current issues and potential violations to what the AHRPC has previous approved for the property. Patrick Murphy, former AHRPC chair, spoke and said the commission has never been involved in a legal proceeding and his concern that this homeowner has performed unauthorized work and retroactively applied for approval to the BAR. Charles Trozzo, former AHRPC chair, also confirmed that AHRPC has never been involved in a legal dispute.

Al Cox described that the homeowner was previously allowed to lower the fence-wall in order to repair it.and also allowed a temporary curb cut for construction only.

He confirmed that the historical period of significance is the Victorian ear, not the Flounder that was originally built to the rear. Although the BAR approved the replacement of the wrought iron fence across the front property line, there is also a ‘Wicker & Spear’ iron fence option suggested by BAR staff that AHRPC does not object to. However, there is a second iron fence that has been partially removed that separated the front and side yards midway through the property, and it is not known what the owner’s intentions are with that fence.

It was agreed that Lance Mallamo will arrange for the annual inspection of the property before the June meeting of the Commission and will report is findings at that time. Mr. Mallamo will also contact DHR for guidance on state commission legal representation and he will create a notebook for 420 S. Lee Street to consolidate documentation.

#### **HARC Report**

Mr. Commisso advised AHRPC members that HARC had reviewed the Threatened and Endangered Properties nomination process at its last meeting, the status of the Ramsay Homes and Joseph Reeder House acquisition by NOVA Regional Parks Authority and the ongoing OHA Strategic Plan process.

#### **OHA REPORT**

Mr. Mallamo reported that there was nothing new to report.

#### **PLANNING & ZONING REPORT**

Mr. Cox reported on the upcoming Preservation 50 events.

#### **NEW BUSINESS**

None

#### **NEXT AHRPC MEETING DATE**

The date of the next meeting was set for Wednesday, June 8, 2016, at 8 a.m.

The meeting adjourned at 9:46 a.m.

Respectfully submitted,  
J. Lance Mallamo, Staff to the Commission