

Approved Minutes

BOARD of HISTORIC RESOURCES

9:30 a.m. December 13, 2018

At the Harry M. Bluford Classroom of the Virginia Museum of History and Culture, 428 N. Boulevard, Richmond, VA 23221

BHR members present:

Clyde Smith, Chair
Colita Fairfax, Vice-Chair
Erin Ashwell
Frederick Fisher
Nosuk Pak Kim
David Ruth

DHR staff members present:

Julie Langan, Director
Stephanie Williams, Deputy Director
Jim Hare, Director of Survey & Register Division
David Edwards, Director of Community Services Division
Marc Wagner
Elizabeth Lipford
Austin Walker
Lena McDonald
Aubrey Von Lindern
Casey DeHaven
Michael Pulice
Brad McDonald
Jennifer Pullen
Jennifer Loux

Chair Smith called the Board of Historic Resources meeting to order at 9:31 a.m. He introduced himself and explained the Board's role as established in the Code of Virginia, and invited members of the Board to introduce themselves.

Chair Smith introduced Jennifer Loux, highway marker program manager.

HIGHWAY MARKERS

Dr. Jennifer Loux presented Sponsor Markers – Diversity #1, #2, and #3 to the Board as a block.

Sponsor Markers – Diversity

1.) African American Banjoists

Sponsor: Appomattox 1865 Foundation
Locality: Appomattox County
Proposed Location: Route 24, Appomattox Wayside

2.) Midlothian Elementary School

Sponsor: Audrey Ross and Deja Williams
Locality: Chesterfield County
Proposed Location: 13801 Westfield Road, Midlothian

3.) Rosalie Slaughter Morton, M.D. (1872-1968)

Sponsor: George Hurt, MD
Locality: Lynchburg
Proposed Location: corner of 7th and Clay Streets

Smith requested a motion to approve the Sponsor Markers – Diversity #1, #2, and #3 as presented. With a motion from Ms. Ashwell and a second from Ms. Kim, the BHR approved the markers as presented.

Dr. Loux presented Sponsor Markers #1, #2, #3, #4, #5, #, 6, and #7 to the Board as a block.

Sponsor Markers

1.) Nuclear Ship *Savannah*

Sponsor: BWXT
Locality: Lynchburg
Proposed Location: 800 Main St.

2.) Miller & Rhoads

Sponsor: Hilton Richmond Downtown
Locality: Richmond
Proposed Location: 501 East Broad St.

3.) Newmarket Racecourse

Sponsor: Pegram Johnson III
Locality: Petersburg or Prince George County
Proposed Location: Route 36 just south of track site

4.) The Cavalier Hotel

Sponsor: Cavalier Associates, LLC
Locality: Virginia Beach
Proposed Location: 4200 Atlantic Ave.

5.) Woodlawn Cultural Landscape Historic District

Sponsor: FHWA-EFLHD
Locality: Fairfax County
Proposed Location: U.S. Route 1, within Fort Belvoir

6.) Thomas Pettus (1712-1780)

Sponsor: William W. Pettus IV
Locality: Lunenburg County
Proposed Location: Route 634 near the Middle Fork of the Meherrin River

7.) Mason Locke Weems and George Washington

Sponsor: Mary Elizabeth Conover Foundation
Locality: Dumfries
Proposed Location: 3944 Cameron St.

Chair Smith invited public comment concerning the markers. Kayla Halberg, representing the Cavalier Hotel marker, thanked Dr. Loux for her assistance with the marker application. John Cario with the Hilton Downtown, representing the Miller & Rhoads marker, explained that the building is now a mixed-use facility and thanked Dr. Loux for her assistance with condensing the company's history to its most essential points for the marker. Vice-Chair Fairfax recalled shopping at the store when she lived in Richmond.

Chair Smith called for a motion to approve Sponsor Markers #1, #2, #3, #4, #5, #, 6, and #7 as presented. With a motion from Ms. Ashwell and a second from Mr. Fisher, the BHR approved the markers as presented.

Dr. Loux presented the replacement markers #1 and #2 as a block.

Sponsor-Funded Replacement Markers

1.) Fotheringay K-67

Sponsor: Shawsville Museum
Locality: Montgomery County

2.) Fort Lewis K-74

Sponsor: Fort Lewis Chapter, Daughters of the American Revolution

Locality: Roanoke County

Chair Smith asked for a motion to approve replacement markers #1 and #2 as presented. With a motion from Ms. Kim and a second from Vice-Chair Fairfax, the BHR approved the markers as presented.

Changes to Marker Criteria document

Dr. Loux presented adjustments to the Marker Criteria document to remove three uses of the word “commemorate” and to replace them with more neutral words such as “document” and “describe.” The change is being requested to bring the marker criteria document in line with other program documents that explain highway markers are not commemorative, but rather are fact-based and educational.

Chair Smith asked for a motion to approve the changes to the Marker Criteria document. With a motion from Ms. Kim and a second from Vice-Chair Fairfax, the BHR approved the changes unanimously.

The Board adjourned at 9:55 a.m.

JOINT MEETING
STATE REVIEW BOARD and BOARD OF HISTORIC RESOURCES
10:00 a.m. December 13, 2018

At the Harry M. Bluford Classroom of the Virginia Museum of History and Culture, 428 N. Boulevard, Richmond, VA 23221

SRB members present:

Elizabeth Moore, Chair
Jody Lahendro, Vice-Chair
Lauranett Lee
Gabrielle Lanier
Sara Bon-Harper
Carl Lounsbury
John Salmon

BHR members present:

Clyde Smith, Chair
Colita Fairfax, Vice-Chair
Erin Ashwell
Frederick Fisher
Nosuk Pak Kim
David Ruth

DHR staff members present:

Julie Langan, Director
Stephanie Williams, Deputy Director
Jim Hare, Director of Survey & Register Division
David Edwards, Director of Community Services Division
Marc Wagner
Elizabeth Lipford
Austin Walker
Lena McDonald
Aubrey Von Lindern
Casey DeHaven
Michael Pulice
Brad McDonald
Jennifer Pullen

Staff from other State Agencies:

Catherine Shankles (Office of the Attorney General)

Guests Present (from sign-in sheet):

Kayla Halberg (Commonwealth Preservation Group)

Marcus Pollard (Commonwealth Preservation Group)
Davyd Foard Hood (Milburne)
Jane & Jim Raup (Nelson County, Arrowhead)
Edwin Gaskin (Culpeper Municipal Electric Plant and Waterworks)
Mark Reed (Cavalier Shores, City of Virginia Beach)
Bernice Pope (Cavalier Shores, City of Virginia Beach)
Jim Wilson (Charlottesville, Walton-Carter Farm)
Jessica Peters (Basic Construction Company Headquarters Building)
Allen C. Tanner (Basic Construction Company Headquarters Building)
Jack Wray (James City County, Toano Commercial Historic District)
Rena Wray (James City County, Toano Commercial Historic District)
John Wray (James City County, Toano Commercial Historic District)

Chair Moore called the SRB meeting to order at 10:06 a.m. She introduced herself and explained the role of the SRB. She invited the SRB members to introduce themselves. Chair Moore requested a motion to approve the September 2018 and October 2018 meeting minutes. With a motion from Dr. Bon-Harper and a second from Dr. Lanier, the SRB approved the minutes as presented. Chair Moore requested a motion to approve the meeting agenda. With a motion from Dr. Lounsbury and a second from Vice-Chair Lahendro, the SRB approved the meeting agenda as presented.

Chair Smith called the BHR to order at 10:08 a.m. He introduced himself and explained the role of the BHR. He invited the BHR members to introduce themselves. Chair Smith requested a motion to approve the September 2018 and October 2018 meeting minutes as presented. With a motion from Mr. Fisher and a second from Ms. Ashwell, the BHR approved the minutes as presented. Chair Smith requested a motion to approve the agenda. With a motion from Ms. Kim and a second from Vice-Chair Fairfax, the BHR approved the agenda as presented.

Chair Smith introduced Director Langan.

Director’s Report.....presented by Julie Langan

Director Langan began by updating the Board members about the recent fire at Clermont Farm, which is owned by DHR. The fire destroyed a turn-of-the-century bank barn and a recently rehabilitated corn crib. She explained that loss of the two facilities has affected the farm’s operations as well as educational programming and partnerships that the Clermont Foundation manages with local schools and agricultural education programs. The cause of the fire is not yet known but is under investigation.

Director Langan said that Governor Northam will share his budget on December 18. He announced yesterday that he had increased his support for the Departments of Environmental Quality and Conservation and Recreation. DHR has requested additional funding for IT support and a new staff position that will handle historic cemeteries. The upcoming General Assembly session will finalize the budget. Pending legislation concerning DHR has not been announced as of yet. The American Battlefield Trust and the Shenandoah Valley Battlefield Foundation are proposing legislation to increase the Virginia battlefields fund.

Director Langan noted two DHR staff members, Jolene Smith and Dominic Bascone, have taken the lead on using GIS to illustrate DHR’s land conservation goals and how they fit into the Governor’s overall land conservation priorities, which will be unveiled on Friday, December 14. The Governor’s approach is to focus on the most desirable lands for conservation across Virginia, rather than setting an arbitrary number of acres to preserve.

Director Langan informed the Boards that Preservation Virginia will host its legislative reception on January 23, 2019, starting at 5:30 at the Downtown Hilton (which occupies a historic building). DHR has Board meetings scheduled to take place in Richmond in March and December 2019. She invited Board members to suggest places outside of Richmond for meetings in June and September 2019.

Chair Smith asked for Board members to be informed about the results of investigations in to the fire at Clermont Farm.

Chair Moore invited Survey and Register Division Director Jim Hare to present about the Equal Justice Initiative’s marker proposal.

**Equal Justice Marker Design Approval
Board of Historic Resources Motion**

Survey and Register Division Director Jim Hare made a brief presentation about the Equal Justice Initiative’s nationwide marker program concerning lynching in the United States during the Jim Crow era of segregation. The marker program is part of the private National Memorial for Peace and Justice (informally known as the National Lynching Memorial) founded by the Equal Justice Initiative in Montgomery, Alabama.

Considerable discussion followed regarding how the Code of Virginia defines the BHR’s responsibility for reviewing both marker designs and marker texts as well as the logistics of local government participation in the EJI program, the selection of marker locations, the identification of marker sponsors, and ongoing maintenance of the markers.

Regarding the design of the Equal Justice Initiative markers, Chair Smith expressed his belief that the color differences relative to DHR's highway markers make the EJI markers legible as a distinct entities; other members of the Board concurred. Ms. Ashwell asked whether, given their distinction from DHR's highway markers in both design and commemorative mission, there would be a separate pipeline for approval of the EJI markers. Mr. Hare responded that his understanding was that the only role of the BHR in the process is overall design approval, with vetting and refinement of individual marker texts delegated to the Equal Justice Initiative in accordance with their goals. Ms. Ashwell asked whether EJI would be required to come to the Board during the vetting process, to which Mr. Hare responded that EJI would work more closely with localities and sponsors rather than the BHR. Ms. Ashwell sought further clarification on the BHR's role in the process, to which Mr. Hare reiterated his understanding that the BHR is chartered solely with the approval of overall marker designs proposed by localities or other initiatives, with the vetting and approval of individual marker texts subsequently undertaken independently by those entities.

Ms. Ashwell then expressed her concern that, by approving a commemorative marker program from an independent national entity such as the Equal Justice Initiative (rather than a locality), the Board could be setting a precedent that would require consideration and potential acceptance of any marker program proposed by any independent entity, which could present future issues with DHR's stated objectivity in a time when history is being increasingly politicized. Mr. Hare responded that Virginia statute explicitly prevents the erection of highway markers and signage with false or inaccurate information.

Catherine Shankles, representative of the Office of the Attorney General, expressed her understanding of the statute cited by Mr. Hare as requiring individual marker approval from the BHR for topics of state or national significance, a standard for which the Equal Justice Initiative's program would qualify. Ms. Kim asked how other states who have approved the EJI marker program have dealt with issues of collaboration. Mr. Hare responded that he could not speak to any specific details, as the program is relatively new and only a handful of states currently have EJI markers erected.

Dr. Loux spoke briefly about some of the practical and logistical issues preventing a more collaborative effort between DHR's state highway marker program and the Equal Justice Initiative, particularly the idea of using a single marker design for both programs. She noted that the standard text found on one side of all EJI markers explaining the broader history of lynching across the United States is too lengthy for DHR's markers to accommodate; the inclusion of this text is a requirement by EJI in order to have a marker erected. Dr. Loux also reiterated that the Equal Justice Initiative's marker text and overall aim is explicitly commemorative, while DHR's marker program and broader agency directive is not.

Mr. Salmon expressed his opinion that the issue at hand is undoubtedly of national significance and that a two-sided marker design like that of the Equal Justice Initiative – which commemorates local events while also situating them within the broader national context of racial violence in America – is necessary in order to fully convey that importance. He further noted that the availability of funding and possible maintenance from the Equal Justice Initiative is to the state's advantage. Mr. Fisher expressed his agreement with Mr. Salmon, adding that the Board should not inadvertently discourage a national program with a particular set of resources and capabilities related to commemorating a significant national issue.

Dr. Lee stated that DHR should carefully consider the opportunity to adopt and collaborate with a national initiative rather than attempting to take on the task of commemorating racial violence in Virginia independently in order to ensure the protection of the initiative's commemorative goals at the local level, citing the history – particularly in the South – of states and localities coopting African American history to fit into white narratives.

Dr. Bon-Harper expressed her support for accepting the EJI marker program's design and encouraging future collaboration in order to avoid inadvertently sending the message that DHR and the Boards are not enthusiastic about the initiative.

Ms. Ashwell stated her support for the overall marker design and reiterated her desire to further explore state-level collaboration with the Equal Justice Initiative in order to discuss the potential for VDOT maintenance of the markers as well as to ensure that all potential marker sites are fully explored, rather than having to rely solely on localities who are willing to work with EJI. Dr. Bon-Harper agreed with ensuring DHR's ability to encourage localities who are more resistant to explore collaboration with EJI.

Mr. Fisher moved that the marker design be approved. Ms. Kim seconded, and the BHR approved the motion unanimously.

Ms. Ashwell moved that DHR communicate to the Equal Justice Initiative a desire for collaboration at the state level because of the importance of the topic and because of the statutory requirement that the BHR review marker texts for topics of state or national significance. Mr. Fisher seconded. The BHR approved the motion unanimously.

Vice-Chair Fairfax asked about the recent approval of a state highway marker for lynching victim Isaac Brandon and if it would conflict or create inconsistencies with the Equal Justice Initiative's marker program. Dr. Loux said DHR had received an application from a sponsor, which is how the Equal Justice Initiative program works as well. Thus, the type of marker selected is most likely to be determined based on what a marker sponsor wants. Dr. Loux added that the DHR markers are educational while the Equal Justice Initiative markers include a commemorative aspect. Mr. Hare expressed his desire to minimize the duplication of efforts between the two programs, and noted EJI has shown an openness to collaboration moving forward.

**Amendment to Regulations concerning Public Participation Guidelines.....presented by Stephanie Williams
Board of Historic Resources Motion**

Deputy Director Williams presented amendments to the regulatory process for the Virginia Landmarks Register. Because it is a technical change, it can be fast-tracked. The change states that a person may be accompanied by and represented by counsel or other representative when engaged in the public participation process set forth for the Virginia Landmarks Register and the National Register of Historic Places programs. Julie Langan, as State Historic Preservation Officer, approved the regulatory language change for the National Register program, as the SRB is not empowered to do so.

Chair Smith requested a motion to approve the regulatory language change as presented. With a motion from Ms. Ashwell and a second from Mr. Fisher, the BHR approved regulatory language change as presented.

Draft Public Engagement Recommendations for Historic District Nominations.....presented by Lena McDonald

Ms. McDonald presented the public engagement recommendations that DHR has compiled for applicants for historic district nomination projects and requested that Board members provide any comments or suggestions for engagement activities. Director Langan will email the document to Board members and request comments to be provided within about 30 days.

NOMINATIONS

(Public comment will be invited after presentation of each region's nominations.)

Elizabeth Lipford presented Eastern Region nominations 1, 2, and 3 as a block:

1. **Basic Construction Building**, City of Newport News, #121-5453, Criterion A
2. *****Cavalier Shores Historic District**, City of Virginia Beach, #134-5379, Criteria A and C
3. ****Milburne, City of Richmond**, #127-6160, Criteria B and C

A representative of the Newport News Maritime Center, which owns the Basic Construction Building, spoke about downtown Newport News and its revitalization, and how this building fits into those efforts.

Nomination author Davyd Foard Hood spoke about Milburne, architect William Lawrence Bottomley, and its property owners' role in preserving it.

Chair Moore invited questions from the SRB regarding the nominations. None were made. Chair Moore requested a motion to approve the nominations as presented. With a motion from Dr. Lounsbury and a second from Dr. Lee, the SRB approved all three nominations as presented.

Chair Smith invited questions from the BHR regarding the nominations. None were made. Chair Smith requested a motion to approve the nominations as presented. With a motion from Mr. Fisher and a second from Ms. Kim, the BHR approved all three nominations as presented.

Marc Wagner presented Eastern Region nominations 1, 2, and 3 as a block:

1. ****General Outdoor Advertising Richmond Branch**, City of Richmond, #127-5834, Criteria A and C
2. **Model Tobacco Company**, City of Richmond, #127-0386, Criteria A and C
3. **Toano Commercial Historic District**, James City County, #047-5458, Criteria A and C

Mr. Wagner noted the General Outdoor Advertising and Model Tobacco Company properties each are currently subject to rehabilitation projects using historic tax credits. Nomination author Marc Wenger spoke about the Toano Commercial Historic District and noted the assistance provided by property owner Jack Wray with providing historical documents and research on the community's history.

Chair Moore invited questions from the SRB regarding the nominations. None were made. With a motion from Dr. Lanier and a second from Dr. Lee, the SRB voted unanimously to approve the nominations as presented.

Chair Smith requested a motion to approve the nominations as presented. With a motion from Ms. Kim and a second from Vice-Chair Fairfax, the BHR voted unanimously to approve the nominations as presented.

Chair Smith requested a motion to amend the agenda to have the nominations for the Culpeper Municipal Electric Plant and Waterworks, Madison Heights School, and Arrowhead presented next. With a motion from Mr. Fisher and a second from Ms. Ashwell, the BHR voted to amend the agenda.

Chair Moore requested a motion to amend the agenda to have the nominations for the Culpeper Municipal Electric Plant and Waterworks, Madison Heights School, and Arrowhead presented next. With a motion from Dr. Bon-Harper and a second from Dr. Lee, the SRB voted to amend the agenda.

Ms. Von Lindern presented the nomination for the **Culpeper Municipal Electric Plant and Waterworks** in the Northern Region. Chair Moore requested a motion to approve the nomination as presented. With a motion from Vice-Chair Lahendro and a second from Dr. Bon-Harper, the SRB approved the nomination as presented.

Chair Smith requested a motion to approve the nomination as presented. With a motion from Ms. Ashwell and a second from Mr. Fisher, the BHR approved the nomination as presented.

Mr. Pulice presented the nomination for **Arrowhead** in the Western Region. Chair Smith thanked the property owners for attending today's meeting. Chair Moore requested a motion to approve the nomination as presented. With a motion from Dr. Lounsbury and a second from Dr. Lee, the SRB approved the nomination as presented. Chair Smith requested a motion to approve the nomination as presented. With a motion from Ms. Ashwell and a second from Mr. Fisher, the BHR approved the nomination as presented.

Mr. Pulice presented the nomination for the **Madison Heights School** in the Western Region. Chair Moore invited questions about the nomination. None were made. Chair Moore requested a motion to approve the nomination as presented. With a motion from Vice-Chair Lahendro and a second from Dr. Lounsbury, the SRB approved the nomination as presented. Chair Smith requested a motion to approve the nomination as presented. With a motion from Ms. Ashwell and a second from Mr. Fisher, the BHR approved the nomination as presented.

The joint board meeting adjourned at 12:41 p.m. for a lunch break.

The joint board meeting reconvened at 1:27 p.m.

Aubrey Von Lindern presented the nomination for **Fort Lewis Lodge** in the Western Region. Chair Moore invited questions from the Board. Vice-Chair Lahendro asked about the property's potential for archaeology. Ms. Von Lindern said further archaeological investigations are needed. Chair Moore requested a motion to approve the nomination as presented. With a motion from Dr. Bon-Harper and a second from Vice-Chair Lahendro, the SRB approved the nomination as presented. Chair Smith asked for a motion to approve the nomination as presented. With a motion from Ms. Kim and a second from Mr. Fisher, the BHR approved the nomination as presented.

Ms. DeHaven presented the nomination for **Locke's Mill** in the Northern Region. Chair Moore requested a motion to approve the nomination as presented. With a motion from Dr. Lee and a second from Dr. Bon-Harper, the SRB approved the nomination as presented. Chair Smith requested a motion to approve the nomination as presented. With a motion from Mr. Fisher and a second from Ms. Kim, the BHR approved the nomination as presented.

Mr. Pulice presented the nominations for the **Belmont Historic District** and **Buchanan Theatre** in the Western Region as a block.

A brief discussion took place about confusion among property owners regarding differences between a locally designated historic district and a district nominated to the VLR and National Register.

Chair Moore invited questions about the nominations. None were made. Chair Moore requested a motion to approve nominations 2 and 3 as presented. With a motion from Vice-Chair Lahendro and a second from Dr. Lee, the SRB approved the nominations as presented. Chair Smith requested a motion to approve the nominations as presented. With a motion from Ms. Kim and a second from Ms. Ashwell, the BHR approved the nominations presented.

The joint meeting adjourned at 2:01 p.m.

Register Summary of Resources Listed: Historic Districts: 3
Buildings: 10
Structures: 0
Sites: 0
Objects: 0
MPDs: 0

BOARD of HISTORIC RESOURCES

At the Harry M. Bluford Classroom of the Virginia Museum of History and Culture, 428 N. Boulevard, Richmond, VA 23221

Board of Historic Resources Members Present:

Clyde Paul Smith, Chair
Dr. Colita Nichols Fairfax, Vice Chair
Erin Ashwell
Fred Fisher
Nosuk Pak Kim
David Ruth

Department of Historic Resources (DHR) Staff Present:

Julie Langan, Director
Stephanie Williams, Deputy Director
Brad McDonald
Megan Melinat
Gray O'Dwyer
Karri Richardson
Elizabeth Tune
Joanna Wilson Green

Board of Historic Resources Members Not Present:

Dr. Ashley Atkins-Spivey

Other State Agency Staff Present:

Catherine Shankles (Office of the Attorney General)

Guests Present (from sign-in sheet):

Adam Gillenwater, American Battlefield Trust
Tom Gilmore, American Battlefield Trust
Janit Llewellyn, Chesterfield County Parks

Chair Smith called the HRB meeting to order at 2:07 p.m.

EASEMENTS

Easement Offers for Consideration (Consent Agenda)

Ms. Richardson presented the following easement offers:

1. Historic Fire Station No. 1, City of Roanoke

Property Owner: City of Roanoke, under contract to Old School Partners II, LLC
Acreage: 0.2023 acre

Historic Fire Station No. 1 is located in the City Market historic area in the City of Roanoke. The property consists of a brick fire station, a small open-air area (approximately 1,440 square feet) at the rear of the building, and a City of Roanoke trash compactor at the southern end of the parcel. After acquiring the property in 1905, the City of Roanoke hired local architect Henry Hartwell Huggins (1864-1912) to design the new fire station. Completed in 1908, the two-story Georgian-Revival fire station features a classically-inspired façade capped with a belfry. The rusticated lower facade with its two fire engine bays is reminiscent of 18th century English town halls. The interior of the fire station is largely intact. Original details include pressed metal ceilings, fire poles, staircase, wood flooring, and pine detailing. The façade and bell tower were restored in 2003. The building remained in use as a fire station until 2007 and has been largely vacant since then. The City of Roanoke has agreed to sell the Fire Station to Old School Partners II ("OSP2") in early 2019. At the time of the sale, the City will subdivide the parcel and retain the trash compactor at the southern end of the parcel, conveying the station building and most of the small open-air area to OSP2. Conditions of the sale include the preservation of the building via rehabilitation tax credits and the placement of a VBHR easement. OSP2 will not take advantage of any tax incentives for the easement donation as they are planning to rehabilitate the building using state and federal rehabilitation tax credits.

The Easement Acceptance Committee recommends acceptance of the easement subject on the Historic Fire Station No. 1, subject to the following conditions:

1. Receipt of documents authorizing the deed of trust to be subordinated to the easement.
2. Final review of all title work by the Office of the Attorney General.

Comments Summary:

Ms. Ashwell asked what the owners intend to do with the building. Staff responded that it planned to be retail on the main floor.

2. Christ Episcopal Church, Lucketts, Loudoun County

Property Owner: Trustees, Christ Episcopal Church, Lucketts
Acreage: ± 0.94 acres

The Christ Episcopal Church Lucketts property includes a Church, Parish Hall, Spring House and wrought iron fence. The board and batten church was built by David W. Frye ca.1870 in the Carpenter Gothic style and features stylized trefoils over the windows and pierced brackets under the eaves. The interior of the church retains some original features including the balcony, church pews, oil lamps

and a section of stenciling. The original cross from the church roof now hangs in the balcony. Leaded stained glass windows were installed circa 1910. The church was vacant from 1955 to 1988 but was maintained by local residents. In the mid-1980's, a new congregation undertook renovations of the church building and replaced the termite-ridden floors and underlying joists. The church has been continuously used for religious purposes since 1988. The frame Parish Hall was originally built as a parsonage ca. 1890. The building features a single story three-bay porch and two-story side bow. Today the building is used for fellowship purposes including spaces for Sunday School, Bible Study, a nursery, an office and storage. Original details include the staircase and balustrade, door and window moldings, and at least one mantel. The frame Spring House was also built ca. 1890. Currently used as a shed, its original use as a springhouse is uncertain. Finally, there is a ca. 1890 wrought-iron fence that runs along part of the northern boundary but encroaches on VDOT land on the east side of the parcel along Route 15.

DHR staff consulted with the Office of the Attorney General (OAG) regarding conveyance of an historic preservation easement on the property and Christ Episcopal Church Lucketts' free exercise of religion. DHR discussed these issues with OAG and the Trustees of Christ Episcopal Church, and both DHR and the Church have agreed to the following:

- a. The easement will include a provision that affirms that the donation of the easement by the Church is a voluntary action, and that the Church agrees that the easement, its restrictions, and the review processes established therein do not present a substantial burden on its religious exercise.
- b. The easement will include terms that protect the exteriors (and not the interiors) of the Church and Parish Hall buildings.

The Easement Acceptance Committee recommends acceptance of an easement on Christ Episcopal Church, Lucketts, subject to the following conditions:

1. Inclusion in the easement of the following:
 - a. Term that affirms that the donation of the easement by the Church is a voluntary action, and that the Church agrees that the easement, its restrictions, and the review processes established therein do not present a substantial burden on its religious exercise.
 - b. Term that protects the exteriors (and not the interiors) of the Church and Parish Hall buildings.
2. Final review of title work by the Office of the Attorney General.

Comments Summary:

Dr. Fairfax asked if there is an associated cemetery. Staff responded the deceased church members are buried in Leesburg.

Ms. Wilson Green presented the following easement offers:

3. V Corps, Brock Road Tract, Spotsylvania Courthouse Battlefield, Spotsylvania County

Property Owner: Central Virginia Battlefields Trust

Acreage: ± 14.103 acres

Grant Funding: American Battlefield Protection Program

Located on Route 613 (Brock Road) in Spotsylvania County, V Corps Brock Road Tract is comprised of three parcels totaling 14.403 acres of primarily wooded land. The property is adjacent to the Spotsylvania National Battlefield Park. A circa 1900 frame and cinderblock dwelling and two wells are located along Brock Road. The dwelling is in poor condition and uninhabitable. An intermittent stream crosses the southern portion of two of the three parcels. Central Virginia Battlefields Trust ("CVBT") purchased the property in 2018 and is applying for an American Battlefield Protection Program grant. Conveyance of a conservation easement is a requirement of the grant. CVBT plans to use the property for open-space and battlefield interpretation purposes with the construction of a 1/8 mile trail. CVBT will also place a 50-foot riparian buffer along the stream. CVBT has long term plans to open the property to the public on a regular basis, however, in the short term, the property will be accessible three days per year during CVBT's annual meeting.

V Corps Brock Road Tract lies within the core and study areas of the Battle of Spotsylvania Court House which has a Preservation Priority Rating of I.2, Class A from the CWSAC. Priority I battlefields are those with a critical need for action. Class A battlefields those that had a decisive influence on a campaign and a direct impact on the course of the war, in this case Grant's Overland Campaign, May to June, 1864.

The property also lies within the study area of the Battle of Chancellorsville, which has a Preservation Priority Rating of I, Class A from the CWSAC. Priority I battlefields those with a critical need for action, Class A battlefields those that had a decisive influence on a campaign and a direct impact on the course of the war, in this case the Chancellorsville Campaign, April 30 to May 6, 1863.

The Easement Acceptance Committee recommends acceptance of easement on the Fifth Corps, Brock Road Tract, subject to the following conditions:

1. Rappahannock Electrical Cooperative records a new electrical easement and quitclaims the 1930's unrecorded easements.
2. Receipt of revised survey.
3. Receipt of revised title commitment.
4. Final review of all title work by the Office of the Attorney General.

Comments Summary:

Ms. Ashwell asked if the property will ultimately be absorbed by the National Park Service. Staff confirmed that was likely. Ms. Ashwell expressed surprise that Rappahannock Electric did not record any of its easements until 1988.

4. McGhee Tract, Chancellorsville Battlefield, Spotsylvania County

Property Owner: American Battlefield Trust

Acreage: ± 4.3 acres

Grant Funding: American Battlefield Protection Program

The McGhee Tract is located across Route 3 from the Chancellorsville National Battlefield Park in Spotsylvania County. The 4.3-acre parcel is improved with two dwellings and three frame sheds. The applicant, American Battlefield Trust (“Trust”) intends to demolish the circa 1938 house, the circa 1965 house and sheds and rehabilitate the landscape to return it to its Civil War era appearance. Historic maps indicate that Union earthworks were constructed on the property, most likely in the area that is now in wooded cover (approximately two-thirds of the land is in wooded cover). The Trust purchased the property from Dorothy McGhee on September 30, 2018. The Trust is applying for an American Battlefield Protection Program grant to cover part of the fee-simple acquisition. The Trust will install up to two interpretative signs as well as a 500-foot pathway for interpretation of the property as a Civil War battlefield.

The property lies within the core and study areas of the Battle of Chancellorsville which has a Preservation Priority Rating of I, Class A from the CWSAC. The CWSAC defines Priority I battlefields those with a critical need for action, and further defines Class A battlefields those that had a decisive influence on a campaign and a direct impact on the course of the war, in this case the Chancellorsville Campaign, April 30 to May 6, 1863.

The Easement Acceptance Committee recommends acceptance of an easement on the McGhee Tract, subject to the following conditions:

1. Receipt of documentation for the overhead electrical line; if an unrecorded easement is found, it may have to be quitclaimed/vacated.
2. Receipt of a revised survey to locating the two underground conductors.
3. Receipt and review of title policy insuring the Virginia Board of Historic Resources.
4. Final review of all title work by the Office of the Attorney General (OAG).

Comments Summary:

There was no discussion.

5. Currier Tract, Rappahannock I & II Battlefields, Culpeper County

Property Owner: American Battlefield Trust

Acreage: ± 12.3656 acres

Grant Funding: American Battlefield Protection Program, Virginia Battlefield Preservation Fund, and Virginia Land Conservation Fund

The Currier Tract is comprised of three contiguous tax parcels. Located between James Madison Highway (U.S. Route 15 & 29) and Remington Road (U.S. Business Route 15 & 29) in the eastern portion of Culpeper County, the property is currently open space. There is one non-historic structure (carport) on the property. Historic aerials show that the property was used for agricultural and residential purposes from 1937 to circa 2007. Currier Tract is visible from Remington Road, a designated Virginia Scenic Road, and U.S. Route 15 & 29 (James Madison Highway), a designated America’s Byway. The property is also located within the Journey Through Hallowed Ground National Heritage area. The property’s westernmost parcel is primarily wooded, with some cleared grassy areas located in the center and eastern parcels. The property fronts on the Rappahannock River (a designated Virginia Scenic River) on its northern border and includes an existing riparian buffer at least 35’ in width. The property is accessible via a dirt driveway leading from Remington Road. American Battlefield Trust (“Trust”) executed an agreement to purchase the Currier Tract in fee simple on May 15th, 2017, and will close on the property in December 2018. The Trust applied for an American Battlefield Protection Program grant in October 2018. The Trust has received grants from Virginia Land Conservation Fund (“VLCF”), Virginia Battlefield Preservation Fund (“VBPF”) and Virginia Outdoors Foundation’s Open Space Lands Preservation Trust Fund (“PTF”) to assist with the fee-simple purchase of the property. The current owners will also donate a portion of the land value. The Trust plans to remove the non-historic structure prior to recordation of the easement. After conveying an easement on the property, the Trust plans to use it for open space and battlefield interpretation purposes.

The Currier Tract is located entirely within the core area of the Rappahannock Station II Battlefield, which has been given a Preservation Priority Rating of IV.1 Class B by the Civil War Sites Advisory Commission (“CWSAC”). Sites with a priority rating of IV.1 are those that are fragmented and have lost integrity. Battlefield sites rated Class B are those that had a direct and decisive influence on their campaign, in this case the Bristoe Campaign from October to November of 1863.

The Currier Tract is also located entirely within the core area of the Rappahannock Station I Battlefield, which has been given a Preservation Priority Rating of II.4 Class D by the CWSAC. Sites with a priority rating of II.4 are those that have opportunities for comprehensive preservation, and face few threats. Sites rated Class D are those that achieved important local objectives but had limited influence on the outcome of their campaign, in this case the Northern Virginia Campaign from June to September of 1863.

The Currier Tract is also located entirely within the study area of the Brandy Station Battlefield, which has been given a Preservation Priority Rating of I.3 Class B by the CWSAC. Sites rated I.3 are those with a critical need for action and face the greatest threat, and sites rated Class B are those that had a direct and decisive influence on their campaigns, in this case the Gettysburg Campaign from June to August of 1863.

The Easement Acceptance Committee recommends acceptance of an easement on the Currier Tract, subject to the following conditions:

1. Revisions to the ALTA survey.
2. Receipt and review of title commitment insuring the Virginia Board of Historic Resources.
3. Receipt of documentation for the release of the existing judgment.
4. Receipt of certificates of satisfaction for the three deeds of trust.
5. Final review of all title work by the Office of the Attorney General.

Comments Summary:

There was no discussion.

Chair Clyde Paul Smith asked for a motion to approve the proposed easement offers as recommended by the Easement Acceptance Committee. Mr. Ruth made the motion. Dr. Fairfax seconded the motion. The Board voted unanimously to approve easement offers #1-5 as presented.

Easement Offers for Reconsideration

Ms. Tune presented the following easement offer for reconsideration:

1. Bowyer Tract, Deep Bottom II, Glendale, and Savage's Station Battlefields, Henrico County

Property Owner: American Battlefield Trust

Acreage: 35.945 ±

Grant Funding: American Battlefield Protection Program and Virginia Battlefield Preservation Fund

Located along Yahley Mill Road in the eastern portion of Henrico County, the Bowyer Tract contains two contiguous tax parcels totaling approximately 36.5 acres. Comprised primarily of open-space land in wooded cover, a roughly 4-acre portion of the property was most recently used for residential purposes. Existing improvements associated with this use include a circa 1937 dwelling, barn, wells, and multiple storage sheds. Access is via a gravel drive connecting to a 15-foot Old Farm Road that leads to Yahley Mill Road. Wetlands are located in the central eastern portion of the property, as well as an unnamed intermittent stream associated with Bailey Creek. A large 200-foot wide utility corridor with overhead transmission lines, towers, and poles bisects the property. The Bowyer Tract is entirely within the core area of the Deep Bottom II Battlefield, which has been given a Preservation Priority Rating of I.3 Class B by the Civil War Sites Advisory Commission ("CWSAC"). The property also contains approximately 25.36 acres of land within the study area of the Glendale Battlefield, given a Preservation Priority Rating of I.3 Class D by the CWSAC. The American Battlefield Trust (the "Trust") acquired the property in 2018, with grant funding from the American Battlefield Protection Program ("ABPP") and the Virginia Battlefield Preservation Fund.

The Virginia Board of Historic Resources ("Board" or "VBHR") approved the easement offer for the Bowyer Tract at its March 15, 2018 meeting, subject to specific conditions. Among others, the Board requested that the Virginia Electric and Power Company ("VEPCO") utility corridor that bisects the property be excluded from the total acreage of the historic preservation and open-space easement. This includes two 100-foot wide VEPCO easements as identified on the boundary survey (attached). The Trust, via email dated June 6, 2018, appealed the Board's determination and requested that the condition requiring removal of the utility corridor from the easement be withdrawn. The Board considered this request at its June 21, 2018 meeting and deferred making a recommendation pending additional review by DHR Easement Program staff and consultation with the Office of the Attorney General.

Easement Program staff made a site visit to the property on August 14, 2018. In consultation with the Office of the Attorney General, Easement Program staff has recommended that the Trust develop a plan for use and treatment of the utility corridor that would enhance the conservation benefit and historic integrity of that area of the property. Staff discussed this option with representatives of the Trust during a meeting on December 6, 2018.

In support of their request to include the utility corridor in the historic preservation and open-space easement, the Trust submitted a letter to DHR addressing treatment and enhancement of the overall battlefield landscape and the utility corridor. This includes development of a conservation plan for the long-term use and stewardship of the utility corridor, developed in consultation with Dominion Energy and DHR. The overall goal of the plan is to provide conservation and public benefit within this area. DHR supports this option and views the conservation plan as a "test-case," and perhaps a model that can be applied (where appropriate) to achieve a conservation benefit within the utility corridor and balance the visual and physical effects of the transmission lines and towers to the integrity of the battlefield.

Staff recommends acceptance of the Trust's request to include the utility corridor, subject to the following conditions:

1. Development of a conservation plan for the utility corridor by the Trust in consultation with Dominion Energy and DHR.

2. Recordation of the easement shall not occur until such plan has been received and is approved.
3. Commitment from Dominion Energy that a conservation plan would be acceptable for the utility corridor on the Bowyer Tract property
4. Conservation plan to be reviewed and approved by DHR
5. Easement recorded upon approval of conservation plan by DHR
6. Conservation plan must be executed within 3-5 years of easement recordation
7. The Trust engages with Dominion to have one of the existing, unused easements vacated/abandoned.

Comments Summary:

Mr. Fisher confirmed that the utility corridor is 200 feet wide. Ms. Ashwell noted that a utility easement does not allow that property to be utilized as a dump, and expressed unease if the Board is not second in line for this swath of property.

Chair Clyde Paul Smith asked for a motion to approve the proposed reconsideration offer as recommended by the Easement Acceptance Committee. Mr. Fisher made the motion and Ms. Ashwell seconded the motion. The Board voted unanimously to approve easement reconsideration offer as presented.

Ms. O'Dwyer presented the following easement offer for reconsideration:

2. Ashe Property, Buckland Mills Battlefield, Prince William County

Property Owner: Ashe Trust

Acreage: 12.5 acres

Grant Funding: American Battlefield Protection Program

Fronting Buckland Mill Road south of U.S. Route 15/29, the Ashe Property consists of unimproved, densely wooded land. Although the current landowners are considering subdividing the property for residential development, they have concurrently agreed to work with the Buckland Preservation Society ("BPS") to place an easement on the property. The BPS intends to acquire the property in fee with grant funding from the American Battlefield Protection Program ("ABPP") and Virginia Civil War Sites Preservation Fund ("VA CWSPF"). Conveyance of a conservation easement is a condition of the grants. The BPS has indicated a desire to possibly reconstruct the historic Buckland School previously located on the property.

The property falls within the core area of the Buckland Mills Battlefield, which has been given a preservation priority ranking of II.4 Class D by the Civil War Sites Advisory Commission ("CWSAC"). The unimproved property is also located within the Buckland Historic District and Expansion, which was listed on the Virginia Landmarks Register and National Register of Historic Places in 2008.

Easement Acceptance Committee/staff recommends acceptance with the following conditions:

1. DHR staff review and approval of appraisal documents and purchase contract between Ashe/BPS.
2. Receipt and review of document (certificate of satisfaction) releasing the existing judgment; receipt of documentation that existing deeds of trust are satisfied.
3. Approval of easement language by PWC.

Comments Summary:

There was no discussion.

Chair Clyde Paul Smith asked for a motion to approve the proposed reconsideration offer as recommended by the Easement Acceptance Committee. Ms. Ashwell made the motion and Ms. Kim seconded the motion. The Board voted unanimously to approve easement reconsideration offer as presented.

Easement Violation

Ms. Wilson Green notified the Board of a technical violation of the easement, as required by Easement Program Policy #7:

1. Christ Church, Lancaster County

Property Owner: Foundation for Historic Christ Church, Inc.

Failure to request prior approval of ground disturbance.

The property comprises a one-acre square churchyard enclosed by a ca. 1950 brick wall, which contains a cruciform brick masonry church constructed ca. 1735 as well as several marble tombs associated with Robert "King" Carter and family and an unknown number of unmarked graves.

Since August 2018, staff have been involved in consultation with the Historic Christ Church Foundation (“Foundation”) pursuant to review of a complex proposal to remediate ongoing issues with rising damp within the church building. The proposal includes the possibility of considerable ground disturbance associated with regrading as well as installation of drainage feedouts, sump pumps, and other utilities. In conversations with the Foundation staff was assured that all such work would be preceded by archaeological investigation to avoid random impact to both unmarked graves and the as-yet-unknown site of the original 1670s church. During a presentation on October 29, however, staff discovered that multiple soil borings were taken from beneath the church floor and the surrounding yard on two separate occasions, both in the absence of DHR staff review.

As part of the due diligence associated with a project of this scope, staff would likely have approved the soil borings but would have provided guidance designed to help avoid disturbance of cultural or burial features in the process. The Foundation has been made aware of the danger of violating state law protecting buried human remains as well. Staff recommends no further action at this time.

Comments Summary:

Chair Smith expressed serious concern of this violation and requested that staff convey the Board’s disappointment to the property owner.

No action required of the Board.

Dr. Fairfax and Ms. Ashwell left the meeting at 3:04 p.m.

Administrative Item

Ms. Tune provided guidance to the Board on the appropriate course of action in the event individual members are contacted directly about specific easement properties.

Easement Stewardship Update

Mr. McDonald provided a brief overview of stewardship efforts by DHR easement staff and presented quarterly stewardship metrics.

New Easements Recorded Since the September 2018 HRB Meeting

Ms. Tune then briefed the Board about the following recently recorded easements.

1. Bly Tract, Culpeper County

Easement Donor: American Battlefield Trust

Acreage: 29.557 acres

Date Recorded: September 26, 2018

Grant Funding: American Battlefield Protection Program and Virginia Battlefield Preservation Fund

2. Scheid Tract, Dinwiddie County

Easement Donor: American Battlefield Trust

Acreage: 4.61 acres

Date Recorded: November 20, 2018

Grant Funding: American Battlefield Protection Program and Virginia Battlefield Preservation Fund

Chair Smith adjourned the Board of Historic Resources meeting at 3:19 p.m.

STATE REVIEW BOARD

At the Collections Study Room, Department of Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221

SRB members present:

Elizabeth Moore, Chair

Jody Lahendro, Vice-Chair

Lauranett Lee

Gabrielle Lanier

Sara Bon-Harper

Carl Lounsbury

John Salmon

DHR staff members present:

Jim Hare, Director of Survey & Register Division
David Edwards, Director of Community Services Division
Marc Wagner
Elizabeth Lipford
Austin Walker
Lena McDonald
Aubrey Von Lindern
Casey DeHaven
Michael Pulice
Blake McDonald

Guests Present (from sign-in sheet):

Kayla Halberg (Norfolk Fire Department Station No. 12, Commonwealth Preservation Group)
David Smith (Smith Cabin, property owner)

Preliminary Information Forms

The State Review Board *endorsed* the following Preliminary Information Forms with additional comments as noted below.

Chair Moore called the meeting to order at 2:20 p.m.

Western Region.....presented by Michael Pulice

1. Craig County Poor Farm, Craig County, #022-5013, Criteria A and C

Dr. Lounsbury mentioned that specifications for county poor houses were developed during the early 19th century as local governments assumed more responsibility for providing services to poor populations in the wake of disestablishment of the Anglican Church after the U.S. won independence from England. This property is notable for retention of one of the two-room dwellings from the poor farm era as well as a cemetery with at least 39 unmarked graves.

2. Lower Basin Historic District 2018 Boundary Increase, City of Lynchburg, #118-5507, Criteria A and C

This historic district has been expanded in the past. Mr. Pulice explained that the boundaries had been carefully examined and the currently proposed boundary increase is intended to be the last such increase.

3. Wiley House/Bellevue, Craig County, 022-0002, Criteria A and C

The SRB endorsed the PIF without additional comment.

Northern Region.....presented by Aubrey Von Lindern and Casey DeHaven

1. Green Hill Cemetery, Town of Luray, Page County, #159-5013, Criteria C and D and Criteria Consideration D

The SRB endorsed the PIF without additional comment.

2. Winfield House, Town of Broadway, Rockingham County, #177-0035, Criterion C

Dr. Lounsbury noted German vernacular characteristics shown by the dwelling's floor plan. The original block was a three-room building with a central stone fireplace and two front entries. The stairs, however, would normally be off the main kitchen, but is in an unexpected place at the Winfield House.

Eastern Region.....presented by Marc Wagner and Elizabeth Lipford

1. **Norfolk Fire Department Station No. 12, City of Norfolk, #122-1010, Criterion A

L. McDonald asked Ms. Halberg if information about the fire department's desegregation has been uncovered. Ms. Halberg explained that she had identified the date of desegregation and identities of the City's first African American fire department captain and first female fire department captain. Although these events postdate the fire station's period of significance, the information can be included in the overall context for the City's fire department.

2. Purnell Fleetwood House, Sussex County, #323-5031, Criteria B and C

The SRB endorsed the PIF without additional comment.

3. Smith Cabin, Albemarle County, #002-5310, Criterion C

Mr. Smith, the property owner, explained that a family cemetery on the property has 10-15 graves marked with plain stones. Mr. Salmon asked if the property is more correctly classified as a house instead of a cabin. Dr. Lounsbury said it is a one-and-one-half story building with a full basement (not two stories, or three stories).'

Eastern Region.....presented by Blake McDonald

1. **Bill “Bojangles” Robinson Square, City of Richmond, #127-0237-0001, Criterion A and Criteria Considerations B, F, and G
Dr. Bon-Harper asked about the historic connection between the monument and an earlier fountain gifted to the City by an animal welfare league. Mr. McDonald said period articles about the monument’s dedication include mention of the fountain and that it dated to Robinson’s childhood in Jackson Ward. The two pieces are associated as philanthropic gifts.

The SRB adjourned at 3:55 p.m.

- * Cost Share Sponsored Project
- ** Certified Local Government
- *** Certified Local Government Sponsored Project

The Boards will take public comment, at the appropriate time, for each session on this agenda.