

WINDOVER HEIGHTS BOARD OF REVIEW
DRAFT MINUTES
February 6, 2024

The Windover Heights Board of Review met in regular session at 7:30 PM on Tuesday, February 6, 2024, in the Council Chambers, Town Hall, 127 Center Street, South, Vienna, Virginia. Chairwoman Theresa Bachmann, Michael Cheselka, Julie Kylo, and Stephen Kenney were present. Also in attendance, and representing town staff were the Town's Zoning Administrator, Andrea West, Town Engineer, John Sergent, and Clerk to the Board, Jennifer Murphy. Craig Burns is absent.

Roll Call

Craig Burns is absent.

Approval of Minutes

There being no corrections, the following meeting minutes were accepted into the record:

- December 5, 2024, Regular Meeting Minutes
- January 23, 2024, Work Session Action Minutes

Item No. 1

Request that the WHBR develop a recommendation to Town Council regarding the necessity of Public Improvements adjacent to the property located at 288 Windover Avenue NW, per Town Code Sec. 18-280.3., Docket No. PF-1150891-WHBR, in the RS-16, single-family detached residential zoning district; filed by Patrick Ohlhorst, of Cloud IX Homes, LLC, on behalf of the applicants, Michael & Mary Parks, property owners.

Chairwoman Bachmann welcomed everyone to the meeting. To date the Board has discussed the item at two separate meetings putting them in a better place for more comprehensive discussion and to receive community input. She noted that all of these discussions have identified the broader issue for the Windover Heights Community. Tonight, the Board will try to build consensus for a recommendation to Vienna Town Council that will include a set of principle statements that provides context for their decision with suggested actions that should be taken. Some action would be within this body and some with other boards, agents, or groups in town to address issues on a more comprehensive basis. Staff has prepared a list of options for them to consider. Board member Kenney has also put together materials to help with review of these options. Once the applicant speaks, they will open the floor for public comment. She thanked everyone for coming out and invited staff to present.

Town Zoning Administrator, Andrea West provided staff's report, stating that the subject property addressed at 288 Windover Avenue NW, is a 1.1-acre lot, zoned within the RS-16 residential zoning district. The minimum lot area required for an RS-16 zoned lot is 16,000 square feet but actual lot areas within the RS-16 zone tend to vary in size. The property is bounded by four streets as previously discussed; Short Street, Lovers Lane, Pleasant Street, and Windover Avenue NW. Presenting aerial views of the property, Ms. West stated that the board has held two meetings: a regular meeting on December 5th and a work session on January 23rd. Tonight's meeting will continue those discussions. The item is tentatively scheduled with Vienna Town Council on February 26th. Although the scheduling of that meeting is not set, it will require that it be advertised. Staff will work with the applicants and the board to adjust hearing dates as needed. The Board is providing a recommendation to Town Council, which will be reviewed as a public hearing as required by Vienna Town Code.

Ms. West stated that for properties located outside of the historic district a homeowner or developer is expected to dedicate right of way and provide design for curb, gutter, and sidewalk within their plans. This is followed up by construction of sidewalk. For the Windover Heights district, any public improvement requires a public review process first. This occurs whether proposed by the Town or as part of a redevelopment. Vienna Town Code Section 18-280.3 is the relevant code section and why they are here tonight. This property is one of the first properties to be redeveloped since the adoption of the new Town Code requirement for dedication and construction of sidewalks within single-lot developments. The Board is being asked to consider and make a recommendation to Vienna Town Council for their public hearing and final determination for the necessity of public improvements. Presenting a summary of options, Ms. West stated that they are the result of board meeting and work session discussion. These options are also included in her written staff report.

- Option one, a recommendation that public improvements are necessary, but implementation should be delayed as the town engages in a broader process to develop a vision. For this scenario they would possibly ask the property owner to dedicate some land for any future improvements.
- Option two, recommendation for a custom combination of curb, gutter, and sidewalk put together by Mr. Sergent that treats Pleasant Street and Windover Avenue NW separately from Lovers Lane NW and Short Street NW.

Ms. West stated that both options 3 & 4 look at two different kinds of cross-sections available.

- Option three, implement an option utilizing a combination of curb and gutter cross sections provided.
- Option four, implement an option utilizing a combination of shoulder ditch cross sections provided.
- Option five, recommendation that no public improvements are necessary, and that no dedication should be taken at this time.

She noted that the Board can also mix and match options to create the recommendation that they choose. Staff will help with that framework to get the conversation going. Concluding Ms. West's staff report, Chairwoman Bachmann thanked staff and invited Board member Kenney to present.

Presenting historical and current images, Mr. Kenney stated that current street conditions include some drainage ditches, a number of street trees, specifically, the historic original Cedar trees, and utility poles situated along the road's edge. Current road widths along the larger streets, Windover Avenue and Pleasant Street NW, vary from 20-21 ft, and along the secondary side streets of Lovers Lane and Short Street NW, measure approximately 16 ft wide and 19 ft wide.

Presenting 3D modeled images, Mr. Kenney stated that the highlighted trees, mailboxes, and utility poles would be affected by widened right of ways and street improvement construction. It is currently unclear if the historic Cedar trees are located in the Town's public right of way or on private property. They may wish to consider a tree protection and replacement program as there is currently nothing in place in the historic district. Reviewing roadway views, he noted issues in the general area due to surface runoff and clogged drainage pipes along Pleasant Street and the end of Lovers Lane NW.

Mr. Kenney stated that he had previously served on the Town's TSC (Transportation Safety Commission) and recalled discussing traffic calming measures in that area. The neighborhood may wish to consider similar methods recently enacted by the City of Falls Church, which now have 20 MPH speed limits on some of their residential streets. A number of pedestrians and vehicles travel along the district's streets, which includes kids coming and going to nearby schools. Per written comments received, it is clear that there is no interest in sidewalks or widening of roads. It may be possible to enact one-way directional traffic and consider undergrounding current utilities, which can be very expensive. He is not advocating either way but wanted to provide information to what the Board and Town are really discussing and what that looks like.

Chairwoman Bachmann thanked Mr. Kenney and invited the applicants to speak.

Patrick Ohlhorst, owner of Cloud IX Homes, located at 340 Mill Street NE, and Michael Parks, owner of 288 Windover Avenue NW, were present on behalf of the application. Mr. Ohlhorst stated that he also resides within the Town and has developed approximately 70 homes. In general, he is pro-sidewalk but due to the non-conformity of the neighborhood and district he supports no sidewalk. The owners purchased the property based on the character of the neighborhood and current design. Current regulations would require approximately 32 trees needing to be removed. Summarizing work session discussions, he stated that they are committed to the Board and to the community. The applicant only intends to build a single-family home on the property. They are not subdividing the lot but will work hard on the final design focusing on low impact development. Referring to the photo of water running across Lovers Ln NW, he stated that they intend to work to redirect water issues stemming from the pipe. It should be an easy remediation within the existing right of way. They intend to double onsite stormwater management, noting that there is currently none on site. Post development will be substantially less than what is currently onsite. The applicant is also willing to put together a dollar value of \$30,000 with the expectation that no dedication or forfeiture of land be required for sidewalk, which would require full removal of trees.

Michael Parks, owner of 288 Windover Avenue NW, stated that he and his wife purchased the property with the intent to build their dream home. They currently live outside the Town in Oakton but fell in love with the property and neighborhood. At the time of purchase, they were already in discussions with their builder and informed of development requirements. This has been a learning experience, which he has appreciated the public's comments and references to the historic nature of the neighborhood. He also supports no sidewalks, not wanting to set a precedence in the neighborhood.

Concluding applicant statements, Chairwoman Bachmann invited public comment.

Jim Preston, owner of 295 Windover Ave NW, has been a resident of the Town for over 40 years. He stated that this will destroy the entire feel of the property and will devalue his lot for development. The removal of so many trees will also require reengineering of his H/VAC system. The Town has always supported the historic district, posting signs for their events like Walk on the Hill but it is the citizens that have kept the neighborhood up. They should have a say whether they want improvements or not. He favors regulations for public improvements, but the regulation is poorly written. It does not adjust for the historic district. He supports a modification of the regulation, stating that it should either be struck down or rewritten to accommodate the historic district. He noted that Maud Robinson would be turning over in her grave if she saw her legacy to the Town being used to destroy the character of the historic district. The applicant should be granted a waiver immediately so that they do not sell the property. The law should also be addressed so that the residents do not have to come back to do this again. Concluding his comments, Mr. Preston was seated.

Nancy Preston, residing at 295 Windover Avenue NW, read comments aloud on behalf of Judi and David Medwedeff of 309 Windover Avenue NW, who could not attend the meeting. Ms. Preston stated that Ms. Medwedeff was key in getting the word out in their neighborhood, which she appreciated. Ms. Medwedeff has lived in the historic district for 40 years. The reason she purchased the home was due to its tree lined streets in a historic landscape. Her home was built in 1892, which fits perfectly with the street. She has spent the last 40 years preserving her house and would like the street to be preserved as well. Additionally, she was able to raise her children there, who had no problems walking up and down their streets. The most treacherous part of walking is when trying to cross Maple Avenue at the Hawk light. The Town is proud of its historic district. There are directional signs to their neighborhood and references to it on the Town's website. Specifically, for Walk on the Hill and the Ayr Hill Garden Club, started in 1971 to protect the neighborhood character. The Town's website welcome page reads: "...Visitors will enjoy the atmosphere along Maple Avenue, stroll down historic Church

Street or take a leisurely drive through Vienna Windover Heights Historic District...” Ms. Medwedeff supports no public improvements, including frontage improvements, or sidewalks to be constructed at 288 or at any other property in the Historic District, now or in the future.

Ms. Preston stated that she would read another letter on behalf of Lindy and Tom Stevens, residing at 316 Windover Avenue NW. Ms. Stevens values the significance of the historic district, which adds a special dimension and value to the wonderful Town of Vienna. For close to 50 years the area has celebrated its HVI (Historic Vienna Inc) one designation as a nonprofit corporation with the goal to preserve and promote Vienna's heritage within the Town of Vienna. Imposing development criteria will make it less than historic and more modern Day. She urged the Board to consider the negativity of requiring sidewalk, curb, and gutter added to the newly developed individual property. Historic Vienna will look different and change forever. There goes the historic unique spot within the town. She asked that it be kept this way and to embrace history. Do not allow town staff to enact a change that will destroy the area’s historic ambiance. She supports no public improvements, including frontage improvements for sidewalk constructed on property at 288 Windover Avenue NW. Ms. Preston thanked the Board and was seated.

Young Ho Chang, residing at 222 Lovers Ln NW, thanked members of the board for their time. He and his wife have lived in their home for four years and in the Northern Virginia area for 50 years. At the time they were very familiar with the Town and excited to build their forever home in the historic district. They were surprised to hear of the current regulation. He respects the Town’s process to carefully consider these requirements but would also expect that members of that decision-making process consider how these standards are applied. If not, then it is just rubber-stamping standards. He asked members of the board to consider what’s in the Town of Vienna. Reading Town Code language aloud, Mr. Chang stated, “*...to provide for the preservation of that district and sites they are in. The Town Council recognizes that the district is a single-family residential neighborhood which has changed little since the turn of the century, which consists mostly of older homes, open spaces and meandering streets lined with mature trees and shrubs, which constitutes one of the original residential sections of historic old Vienna...*”

Mr. Chang and his wife love walking their neighborhood streets where they see plenty of other people walking those same streets. Cars that drive by are generally more mindful of pedestrians. If wider roads are built then car speeds will increase, further increasing volume for cut through traffic that will then require traffic calming measures. Once that happens it will be impossible to undue this decision. He thanked Mr. Kenney for his presentation, stating that he strongly objects to the suggested one-way direction or hybrid option. The presented images are also not engineered drawings, which would be needed to consider current road elevations and construction that would affect all of the trees. For those reasons he supports option five for no improvements. Thanking the Board, Mr. Chang was seated.

Jerry Covell, residing at 224 Walnut Ln NW, has lived at his property for 48 years. He has been involved in the historic district since 1976. Mr. Covell read a letter from Chuck Sloan, an attorney who helped draft the historic district dated November 9, 1976; “*...Dear Jerry, I have reviewed the Vienna Historic District Ordinance, and I thought I would pass on some comments to you on the matter. First of all, in Section 18-258, the intended ordinance sent out as follows: The regulations within the district are intended to protect against destruction or encroachment upon such areas, structures and preferences, etcetera, social, economic or political, architectural, etcetera. I see nothing in this section that would work detrimental to any resident of Windover Heights, and I can see enough on the positive side on effects of a historic ordinance that includes that section. I think it would be helpful in limiting the size of the commercial buildings around the historic district, regulating traffic patterns through the district and preventing commercial intrusion and the installation of sidewalks along Windover Avenue NW...*”

Mr. Covell stated that Mr. Sloan's 1976 letter speaks to the intent of the ordinance at that time. He also reviewed past minute records for two subdivisions constructed in the district. The Betts property, located at 255 and 261 Windover Avenue NW, approved for construction approximately 25 years ago, and the Leopold property, addressed as 308 West Street and 201 Windover Avenue NW, a one-acre lot made into a 2-lot subdivision. At the time of both reviews, residents did not want curb, gutter, and sidewalk. He understands that the developments predate the new ordinance language but wanted to note that both were immediately granted waivers from improvements. Although it is a different ordinance it is the same precedent. The residents did not want sidewalks and Vienna Town Council went along with it. Mr. Covell thanked the Board for their time allowing him to provide that historical context. Concluding his comments, Mr. Covell was seated.

James Berkenbaugh, residing at 346 Windover Ave NW, has lived with his wife on Windover Avenue NW, for seven years this August. He appreciated hearing the applicant speak and reading their submission materials and suggested recommendations. He supports their suggested wording, as a recommendation to Vienna Town Council. The question here tonight is more than public improvements at 288 Windover Avenue NW. It asks what is the fate of the Windover Heights Historic District. A recommendation in any way begins to mark the destruction or change to the historic district, setting a precedent, and leading to more and more sidewalks, curbs and gutters, wider streets, loss of frontage, and forfeiture of property. These are significant issues. The Board seems to be moving towards trying to find a compromise or win-win solution. The only win-win solution would be for option five for no public improvements, no forfeiture of land, and to allow this property to proceed. Doing so will maintain the historic character of the district, maintain its beauty, and its environmental harmony. Cloud IX Homes is intending to construct a low impact development addressing onsite water issues and captured from streets surrounding their property. He stated that this is important. The character of the neighborhood needs to be preserved and that recommendation of the board is essential. He supports the wording that's been read, stating that Vienna Town Council needs to realize that an exemption from the historic district is certainly justified and warranted. People are proud of it and they love living there. It would be a shame if it were gone 50 years from now. He hoped that no one will have to go through the same discussions as the Parks are having to go through tonight. Mr. Berkenbaugh thanked the Board and was seated.

Anne Stuntz, residing at 2596 Chainbridge Rd. Fairfax VA, stated that she is president of Historic Vienna Inc, but is not formally representing them in her comments. Since her parents wrote the book, [This Was Vienna](#) and she grew up in the Town, she really cares about the Town and its history. She has always treasured the historic district and how hard everyone worked in the 1970's to make it a reality. In 2019 the Town Council created a proclamation lauding the district for its 40th anniversary. She does not want to lose what is precious, stating that it would be tragic if the beauty, harmony, and calm of its streets and trees are lost. She has listened to testimony and read the thoughtful letters provided on its behalf. The Town Code provides consideration for aspects of a building, an accessory building structure, fence, or sign, and it's harmony and incongruity with the old and historic aspect. The extent that the historic places are preserved and the special public value due to the cultural and artistic heritage. It is this part of the code that urges you to protect this space, which has been done beautifully for decades. This is not just about one house or a shed or a sign or a fence. It is the existential question of this district's essence and what are they preserving. It is her sincere hope that all parties can come together to find a way to improve walkability and stormwater runoff while respecting the area's charm and signature ambience. Maybe some serious traffic calming will be in the future. Some good ideas have been mentioned. The old cedar trees lining the road are one of the defining aspects of the historic cultural landscape. Houses have been replaced and upgraded. Some of the original historic homes are still in existence but the area has maintained its historic nature through the design of its streets. She asked that they please find a way for the Town and the residents to collaborate, finding creative and thoughtful ways forward, keeping the district beautiful and truly historic. Ms. Stuntz thanked the Board and was seated.

Sarah Couchman, residing at 512 Orchard Street NW, supports some public improvements at 288 Windover Ave NW. Although the Board is discussing a single property this will have implications for its future streets. Currently, Windover and Pleasant St NW are unsafe for pedestrians. The roads are narrow, particularly along Pleasant Street and the portion of Windover Avenue that is closer to Lawyers Rd NW having deep drainage swales alongside the road. Additionally, cars move quickly. There are several locations that would be difficult to jump off to the side of the road and out of the way of passing vehicles. Given that Windover Avenue is a public street, for use by all Vienna residents and non-residents as well, it is important that the Town continue its mission of creating a walkable community requiring public improvements in Windover Heights as it does in the rest of the Town. So that all may enjoy its streets. It is also important to recognize that Windover Avenue is a unique streetscape within Vienna so that VDOT standards are not the way to go. Its narrower roads, curved alignment, and many mature trees close to the street's edge create a charming and intimate character.

She previously worked for a landscape architecture firm on a number of corridor management plans for scenic byways. This is exactly the type of project they were looking for. Winding roads with a tree canopy of branches arching from either side to meet in the middle. She has also worked on the properties situated along Windover Avenue in preparation for its Walk on the Hill. She fully recognizes how charming and wonderful Windover Heights is but should acknowledge that some change is inevitable. More people are using Windover Avenue NW, particularly children, her children. Older homes are also being torn down and replaced with new construction. The trees that make it a special road are getting older. With respect to 288 Windover, specifically looking at the existing site's tree inventory plan, the builder identified trees needing to come down to implement public improvements. Not one tree was listed in good condition. They were either listed as fair or, in several cases, poor condition. They should recognize that the trees are getting older, and in many cases, their health is already compromised. She stated that they need a more customized approach of identifying trees that are healthy and worth saving. To design a streetscape that accommodates them while allowing locations for new trees to be planted. Maybe reserve subsurface drainage for those areas most in need. For example, along Pleasant St NW, or use drains that are flush with the road surface to avoid the need for traditional curb and gutter. With respect to sidewalks, she asked for consideration in exploring alternative materials such as concrete like asphalt. It would allow a more flexible alignment and require less excavation. As was done on Church Street between Glyndon and Beulah Road NE. She stated that it does not have to be an all or nothing situation. It can be a prime opportunity for compromise and creative problem solving. Ms. Couchman thanked the Board and was seated.

Fran Berkenbaugh, residing at 346 Windover Avenue NW, has lived in the Town for close to 39 years. She originally lived on Park Street until 1986 when she attended the Walk on the Hill where she was blown away by the oasis of overhanging trees and quiet atmosphere. At the time she could not have imagined living in Windover Heights until seven years ago when she and her husband bought a house on Windover Avenue NW. This is the first time that she has attended a Board meeting, doing so because she spoke with Marguerite Lay, a founding member of the Board of Review. Ms. Lay explained to her that the Board was set up to preserve and protect the historic district. Ms. Berkenbaugh called on the Board to ask that the Town exempt the historic district from the new ordinance. Not only to not affect 288 Windover Avenue NW but for the whole neighborhood. She asked if they wanted to revamp the whole historic district so that it is like another city or town, installing sidewalks and curbs all around. Improving the one block around 288 would be like having a city block in the middle of the historic district, which would destroy the hill and certainly destroy the Walk on the Hill. There would no longer be the charm, character, appeal, and beauty that they have now. She asked if the Board wants to begin the process of permanently changing the historic district that they have been set up to preserve and protect. Not just to provide architectural decisions. There is already an architectural board in the Town. She asked that the Board please vote no and support option number five. Concluding her comments, Ms. Berkenbaugh thanked the Board and was seated.

Max Ronan, residing at 315 Window Avenue NW, stated that he and his family have resided at this address for approximately 3 years. Like others, when they stumbled upon the Historic District, they fell in love with the landscape and old Cedar trees that make it so historic. When looking to purchase their property Mr. Ronan spoke with town officials who explained that the Board was chartered to protect the historic district. At the time they were pleased to know that somebody was looking after the neighborhood. He hopes that the Board can now really help the community in protecting this cherished jewel of a district. They appreciate all the work that has been put in considering all options. It is clear to him that VDOT standards and town standards are incongruent with the historic nature of Windover Heights. He asked the Board to set a precedent. Due to the new code language, there will likely be more requests. He hoped to not have to come back to discuss it again, each time. He asked the Board to set a precedent that historic means historic. Like the signs that his kids have prepared: *Protect History and Save the Trees*, they hope that the Board can really help the community. Make it even more historic and create some good. It has brought the community together in their discussion of what historic means. He supports options number five for no public improvements, no forfeiture, stating that is the right one. Concerns for water drainage can be addressed with alternative measures. In reference to reducing speed limits, like City of Falls Church, he stated that they are good ideas that should be considered. Concluding his comments, Mr. Ronan was seated.

Paul Layer, residing at 317 Windover Avenue NW, presented photos of the original Salsbury farm property and Windover Heights subdivision layout created in 1894. He stated that it is a historic district that has enshrined the remnants of an agricultural past, making the site uniquely different. The subject property is an incredibly large section of land bound by the four original roads as shown on the 1894 survey. He stated that it may be the most unique spot in the Town. It is unique to Windover Heights as all of the original roads were bounded by farmland. The subject property surrounded by the four streets under consideration, Pleasant Street, Windover Avenue, Short Street, and Lovers Lane, NW, have never been subdivided. That is likely why there is no dedication of any kind for this property. Dedications have since occurred but likely only go back to the 1950s. There was no such thing as setbacks or right of way, as they are understood today, in the 1800s.

Presenting historical and present-day images of the neighborhood, Mr. Layer stated that they are the same views today when standing in the same locations in the neighborhood. What is currently historic are the Cedar trees. Since many of them exist today there should be a formal tree restoration procedure. Windover Avenue used to be called Cedar Lane. Walnut Ln NW remains, which was named for its Walnut trees. This is what defines the area. He stated that it seems ludicrous to impose contemporary standards on an area originally enshrined as an agricultural echo of the past. He presented additional street profile images that include VDOT right of way standards encroaching on the Cedar trees that are located all the way down the road. The proposed improvements would require removal of all trees, whether they are healthy or not, from all the way around the property.

He stated that there's been discussion of hybrid conditions melding with an area that is completely incongruent to any of those suggestions. Current VDOT profiles are incompatible with the image of the historic district resulting in significant loss of mature trees like the historic Cedar trees. There would also be significant encroachment on existing properties, particularly homes that are situated close to the road would suffer. It would render the historic district unrecognizable to the one that they know today. He stated that there should be no illusion that it would not exist.

Mr. Layer stated that the City of Falls Church recently enacted reduced speed limits to 20 MPH in some residential areas. He urged everyone to review information posted on their website. It is extensive and very well done. Members of the historic district previously went for review with the TSC for consideration of reduced speeds in Windover Heights. They accomplished putting in a speed indicator and *Walk to School* signs to slow down traffic in those areas. Based upon his review, he urged the Board to make the following recommendations:

- State that the street configuration and trees are historic in the Windover Heights Historic District, (reference p. 352, fig. 39-125, of This Was Vienna, and the Town's formal designation of the Windover Heights area). The streets are historic, as are the houses that adjoin the streets. In some cases, constructed about the same time.
- State that the current VDOT/Town curb, gutter, and sidewalk standards are not compatible with the historic image of the area and would irrevocably alter the features that define the Historic District.
- State that stormwater considerations in the Historic District can be addressed with appropriate application of modified grass swales, vegetated swells, and rip-rap swells that offer alternatives sympathetic to the Historic area. Additionally, they offer environmental advantages over standard curb and gutter, including preservation of existing trees.
- Start a program of Cedar tree restoration along Windover Avenue and additional trees in other pertinent areas.
- Reduction of speed limits to 20 MPH with intentional intermittent reinforcement with the addition of “*Share the Road*” signage throughout the Historic District. These measures provide a sympathetic alternative to sidewalks and address increased safety while preserving the area’s historic image. Reference “20 is plenty” program instituted by City of Falls Church.
- Revision of the current code to incorporate the above considerations regarding the Windover Heights District, removing the code section that refers to VDOT standards in any way because they are completely incompatible for the historic nature as evidenced by the only authority he knows; the This Was Vienna publication.

Concluding his comments, Mr. Layer thanked the Board and was seated.

Jordan Gottfried, residing at 350 Windover Avenue NW, stated that he is present on behalf of his wife and two kids who were unable to attend. He thanked the members of the board for their time and his neighbors for their comments, unity of purpose, and unity of effort. They’ve heard considerations for safety and water management but there is another implication from this decision, which is the right of the neighborhood. He urged the Board to consider implications of starting to unwind the original purpose of the neighborhood. Transforming it into every town, USA by installing curb and gutter. They should just pack up as there is no point in being there. They should petition the Town to disband the Board since the purpose of the board, and the reason that they are all here, is to try and preserve what is beautiful on the street right now. He humbly asked that they consider why they are all here and the implication that it will likely require a change if they begin this process of transformation. Mr. Gottfried thanked the Board and was seated.

Gardner Hutchins, residing at 311 Windover Avenue NW, grew up in Clifton. When he and his wife were considering moving from Arlington they considered going back to Clifton or the Great Falls area. It was his wife who suggested the Town and the street that they now live on, Windover Avenue. They liked the trees and configuration of the streets. Talking with the neighbors they were told about the dairy farm. How the cattle used to run down the street and that the kids who attended Louise Archer Elementary, before there was running water, used to collect water from the nearby spring. That is history and why they live on their street. Without that, he echoed Mr. Gottfried’s comments, stating that it could be anywhere else. They might as well be anywhere else like Great Falls. If things do stay the way that they are, he would like to think of himself as a long-term resident of the town. Mr. Hutchins thanked the Board for their time, stating that he supports option number five to keep things the way that they are. Mr. Hutchins was seated.

Pamela Palmer, residing at 303 Salsbury Lane NW, stated that she is their future. She lives in one of the homes situated within the new subdivision that includes curb, gutter, and drains, which does not look like Windover Heights. She was surprised to learn that their house was located within the historic district, stating that it doesn’t have the splendor of Windover. They purchased their home already built, stating that she would like to

stop what was allowed by VDOT and continue to have small lanes and street trees. In reference to the suggested one-way traffic, she stated that it can be pretty tight when you have cars traveling in both directions on all sides. There may be some opportunity for replanning. She did not want sidewalks, stating that there are two big drainage systems in her yard that catch water flow down the hill. She asked them to please keep Windover beautiful supporting considerations for traffic flow and optimizing keeping the splendor of the neighborhood. Ms. Palmer thanked the Board and was seated.

Tim Chapman, residing at 360 Windover Avenue NW has been developing large historic apartment buildings for the better part of 30 years. He has never been in a situation where he's seen a historic review board ever have to consider this. The first rule is to do no harm to the historic character of the neighborhood, or what's been designated as historic. He is stunned over what is even under consideration. He did not see how considering rip-rap or water would be under the purview of the Historic Preservation Board, which is to maintain the character of what has been designated. If this gets approved, he asked what the Board's purpose is but to stop this application. He could understand a scenario approving not installing sidewalks and placing money in a fund to restore the trees that are part of the community. That would make perfect sense. He could not see how this goes anywhere other than creating a bunch of outraged citizens going to Vienna Town Council. If anything, the motion should be to do nothing with sidewalks and that the Town Council owes the Board an apology for putting them in this position. It is not going to get approved by Town Council. There isn't funding to install the rest of the sidewalks. It will only create one house with sidewalks. Mr. Chapman supported Mr. Layer's comments, thanked the Board and was seated.

Carey Sienicki, residing at 326 West Street NW, stated that the issue should be considered at two different levels. One would be the Windover Heights District, the other would be the Town of Vienna as a whole. It is important to keep the streets as they are now narrow. She would not support VDOT/Town standard of curb, gutter, and parking, as it would destroy the area. Since the property is a keystone of the Windover Heights District, some sidewalk improvements would be in order to allow people to walk from Windover Avenue NW down Pleasant Street NW. She is not saying that it should be a VDOT sidewalk standard. There could be a compromise. Alternative options could be for stamped or an embossed pattern that is in harmony with the historic district. Sidewalks would not need to be all over the district. While there are stormwater provisions on site there could be additional stormwater on the side with cedar trees. Perhaps a native garden or a rain garden. She suggested that the Town should also communicate with Dominion Power to try and underground onsite lines. They look like they have been there since the 1950s. It's a good consideration for Vienna Town Council while improvements are being considered. She thanked Board member Kenney for proposing one-way traffic in certain areas. That would be useful in helping pedestrians who cannot have sidewalks. She also supports option one, stating that it would be good to dedicate land for the future of the town. It is important to have right of way for future improvements whether it be for trees, for sidewalks, or potential street improvements. Ms. Sienicki thanked the Board and was seated.

Dail Day Hyde, residing at 280 Windover Avenue NW, has been witness to much that has happened in the neighborhood over the years. Significantly, the effort that went into designating and protecting the historic district and to the many people who have enjoyed the tranquility of stepping back in time when they visit Windover Heights. It is from this vantage point that she has difficulty finding the answer to the question of why. She asked why they are we being forced to have this conversation now, after they have worked so hard to protect their small enclave for those who appreciate its unique beauty and charm. The task being presented to the Board is not merely a question about public improvements specific to the 288 property. It is about what will ultimately consume the entire historic district as one property and then others are potentially redeveloped. The majority of homes in the historic district were not built with any expectation of changes being made to the streets, let alone having curb, gutter, sidewalks, parking, or shoulder ditches. To try and implement these changes now sends her back to her first question of why. She endorses option number five. Ms. Hyde was seated.

Daphne Sloan, residing at 223 Walnut Lane NW, has lived in her home for 49 years, which was originally built in 1890. There are people here who have lived in the district even longer than she has. She supports no action taken on any improvements or sidewalks around 288 Windover Avenue NW. This action would be against the basic policy of the Town supporting having the Historic District. The main purpose being to preserve and protect with the Walk on the Hill. Maude Robinson, a well-known citizen of the Town, who served on Vienna Town Council. It was her idea to protect the Windover Heights area. It was her plan, which then formulated into being a historic district. The Town is also designated a Tree City. If they are a tree city, then how can you cut down 37 trees. The basic enjoyment of town citizens appreciating the special buildings during the Annual Walk on the Hill is very special. The community comes together for friendliness, welcoming food sharing, music, beauty, flower shows, history, appreciation, and the joy of living in the Town. This district is near its 70th year of existence. This policy would be the beginning of encroachment of all the distinctiveness of the Windover Heights Historic District. There are many beautiful homes in Vienna, but the Windover Heights Historic District is very unique. Ms. Sloan thanked the Board and was seated.

Robert Johnson, residing at 217 Walnut Lane, stated that when they purchased their property, they were told that it was originally a cattle path from the Salisbury farm. He was proud to see tonight's turn out and to hear his neighbors speak up. He and his wife moved to their home in 1978 where they raised their family, stating that it has been a wonderful place to live. He was here when the historic ordinance was adapted and very happy that it was done. He does not want any sidewalks, curb, and gutter within the district. He supports option number five. He also wanted to suggest that there be an amendment or consideration for an amendment to the laws that require curb, gutter, and sidewalk on properties that fall within the historic district. If that were done, then they would not have to be there tonight. He thanked the owner and builder for working with the neighbors and dealing with the problems that may come about from drainage. He has never experienced any drainage issues that needed to be addressed by the Town. Mr. Johnson thanked the Board and was seated.

Lisa Johnson grew up at 217 Walnut Lane NW. She thoroughly enjoyed growing up in the historic district. Even as a child she realized that it was a special place. Although her parents were protective, they did not worry about her walking her dog, riding her bike, rollerblading, or walking to her friend's houses on these streets. She did some research and found that, to date, there have been no issues with pedestrian injuries on their street. When she went away to college, it was around the time that the Town was awarded Money Magazine's 3rd Best Place to Live. One of their main reasons for the award was the mention of the historic district. She stated that had been something she was very proud of. She also noticed that whenever she was home from school that the Town looked different every single time. Coming home every few months, parts of the Town would be completely transformed, demolished, rebuilt. Their little section of Vienna always stayed the same, maintaining its charm through all the demolition and destruction happening in other parts of the Town. To change this would be such a disservice to the Town. It would rip it of any charm that they have left. Ms. Johnson supported option number five, thanked the Board and was seated.

Joanna Covell, residing at 224 Walnut Lane NW, has been in the neighborhood a long time. She raised her three children there, stating that her youngest was 3 years old when they moved in. Walnut Lane couldn't be any better if they tried. She stated that she was having a hard time talking and was seated.

Orlean Grant, residing at 342 Orchard St NW, has lived with her family there for almost 24 years. They previously lived in the Washington DC area and spent a short time in Charlotte, NC. When they came back to the area they looked everywhere. The one thing that sold them was Windover Heights, which they found to be unique to the entire area. The Town Council seemed bent on preserving what was unique about this town. She served on the Town/Business Liaison Commission for four years, so she is aware of what it takes to try to preserve what is really unique about the Town. She welcomed Mr. Park as a new neighbor, stating that she walks these streets all

the time. Walks around the whole town but mostly walks around the historic district. During the busiest time. In the evenings; in the rain and snow. She has never experienced an issue with cars, which seem to be respectful of pedestrians. You can move to the side when you need to. As was just said, the Town's uniqueness is known throughout the nation. Putting anything else other than option five will destroy what is left of the charm in this town. They will become like Mosaic, Falls Church, parts of Bethesda, and parts of DC. The historic district is unique. It is also a draw for people, a respite for this area. They should be living in harmony with nature planting trees, not destroying them. They should find creative options for drainage. There are other options without destroying it. She hoped the Board will do their job and protect the area. Ms. Grant thanked the Board and was seated.

Marguerite Lay, residing at 225 Windover Avenue NW, was excited to see such a good turnout and thanked everyone for coming out. She thanked members of the Board for their service, stating that Windover Heights has been a wonderful place to live. She hopes that it remains the same. Although she enjoys walking her dog on the section of West Street NW, that has a pathway, she can understand that some people may need that to be steady. Things are not easy. You can't have it all one way or the other. She thanked members of the Board for all the work that they have done and was seated.

Concluding public comments, members of the board expressed their support for option number five. Chairwoman Bachmann stated that Board member Craig Burns also provided written comments supporting option number five. The Board further discussed formulating draft motion language with supporting conditions.

Concluding discussions, Chairwoman Bachmann called for a motion.

Commissioner Kenney motioned that, regarding the necessity of Public Improvements adjacent to the property located at 288 Windover Avenue NW, per Town Code Sec. 18-280.3., Docket No. PF-1150891-WHBR, in the RS-16, single-family detached residential zoning district, the Board recommends the applicant to proceed without requirement to construct sidewalk nor to provide escrow for sidewalk for any of the four lot sides that front existing streets in Windover Heights. This recommendation is made subject to the following conditions:

- This recommendation relates to the low impact single home redevelopment of 288 Windover Avenue, NW. This redevelopment will focus on the interior of the lot, substantially within the footprints of the existing structures on the property. Potential applications for the subdivision of 288 Windover Avenue, NW would be subject to a separate and additional WHBR application, and separate consideration by the Planning Commission and the TC.
- The applicant commits to protect and preserve boarder trees along all four sides of the property, including hand removal of dead or severely declined trees, and commits to restore or plant cedar trees (in collaboration with TOV arborist), providing an appropriate assurance to the TOV to ensure this commitment is met.
- The applicant will design the property to reduce stormwater runoff by 20%, which is twice the required reduction required by DEQ standards.
- The applicant will, in collab with Department of Public Works, clean out and/or repair the existing stormwater swale/ditch as it naturally occurs along Lovers Lane, NW to ensure site water along the south of the property does not cross Lovers Lane, NW toward 120 Pleasant Street, NW.

- The applicant will ensure that any designed stormwater from the property will reach the designed outflow pipe currently located at the intersection of Pleasant Street, NW and Lovers Lane, NW.
- Applicant will dedicate land along Windover to plant additional cedar trees within the ROW.

Motion: Kenney
Second: Cheselka
Vote: 4-0

Absent: Burns

Chairwoman Bachmann stated that the motion carries. She will prepare and finalize her memorandum for Town Council, which will include background discussion of community involvement with their overwhelming opinion expressed, and discussing broader concepts in consideration that are still very pressing and need to be addressed.

There being no further discussion the meeting was adjourned at 10:55 pm.

Respectfully submitted,



Jennifer Murphy
Clerk to the Commission