

Minutes of Jefferson County Landmarks Commission Meeting

November 19, 2008

Members Present: John Allen, Don Amoroso, Carmen Creamer, Michael Musick, Kip Stowell. Guests: William Berry, Irvan Groff, Thomas Hall, Maggie Keeler, Todd Kelvington (Berkeley Associates), Walter Washington

Minutes: Approval of the minutes of the October 15, 2008 meeting was moved by Kip Stowell, seconded by Don Amoroso, and unanimously passed.

Treasurer's Report: The treasurer's report was presented by Don Amoroso, with handouts distributed. The treasurer has written a check for \$5,400 to Bart Wheatley for work at the Peter Burr Farm. There is a need to address a water leak at the Peter Burr Farm, and to find the source of the leak. Kip Stowell moved to accept the treasurer's report, which was seconded by Michael Musick and passed unanimously.

Site Reviews: Todd Kelvington, from Berkeley Associates/Thrasher Engineering, gave a presentation on the Flowing Springs Sewer Line and Water Treatment Plant, and distributed copies of a detailed, illustrated report on the subject. The treatment facility will serve the Breckinridge and Beallair subdivisions. Mr. Kelvington responded to questions from Tom Hall and John Allen. The HLC will give Berkeley Associates information from our survey of the Baumgardner House. The Rt. 51 Cell Tower proposal was discussed. If the project is to go forward, Carmen Creamer indicated that in mitigation we would like to see what camouflage can be used. The project impacts four or five historic sites (*e.g.* Harewood, Piedmont). The sense of the HLC is opposition to the project. The Battle of Shepherdstown/ Far Away Farms site was discussed. The fight to bring the matter before the U.S. Supreme Court has been lost. The developers dispute the location of the battle. John Allen stated that we will send to planning as much information as we have, which presents the National Park Service/ SHPO delineated area. Tom Hall spoke regarding the house at the site. Carmen Creamer noted that we would like to see whatever archaeological reports they have.

Poor Farm: In the long-running effort to resolve ownership issues, Walter Washington indicated that he will try to get a lower price to have the survey done. John Allen noted that we will pay half the cost if Rock Spring Church can't afford the survey. Carmen noted that the county should bear the entire cost, but that would drag it out. The need to get a lower cost than \$3,500 was discussed. Walter Washington was thanked for his work on this issue.

Peter Burr Farm: Maggie Keeler gave the report of the Friends of Peter Burr. There were 143 people at the Burr Family Reunion, including locals. Expenses were \$566. The food was well-liked. Irvan Groff reported that the refrigerator problem has been taken care of (it's under warranty). The various needs of the farm were discussed. Bill Berry reported that the Friends have \$3,992.56. Sales income from the Harvest Faire was \$1,028; there was a \$472.97 profit.

Map/Database: The new committee for data development has not yet met. We have the updated map online. There was a discussion of how to determine buffer zones for Civil War battle sites - there are some large areas involved. We will start with the Shepherdstown battle site as a priority.

New Landmarks - Rocky Marsh Area: Plaques have been delivered, and everyone is happy with them. Three or four are left, but more are needed. We will stay with the current design, and try to get 30 more. John Allen will get a price on them.

Upcoming Events and Miscellaneous: John Allen reported on selection of the southern route for the PATH Transmission Lines. Todd Fagan has explained what will be affected: Hawthorne, Summit Point, the Battle of Summit Point site, Beverly, Mount Helen, Rock Hall, the Washington property, etc. Tom Hall explained what the company wants to do - the structures have gotten bigger. We are giving information to Mapping.

The county is being sued by those who believe historic protection ordinances are "takings." The U.S. Supreme Court has ruled that they are not. The National Trust lawyer has a good argument that no historic protections are "takings." John Allen suggested the National Trust file an amicus brief as a friend of the court.

We need to submit our annual report to the SHPO.

The county commission may propose legislation for National Register properties to be treated as a non-contiguous tax neighborhood.

The state of West Virginia is going to start fixing the state historical markers - they have money for it. A new marker costs around \$1,500-2,000.