

**HISTORIC PRESERVATION REVIEW COMMISSION**  
**232 N. Queen Street**  
**September 11, 2017**  
**Regular Meeting, 7:00 PM.**  
**J. Oakley Seibert Council Chambers**

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With a quorum present, Chairman Gary Gimbel called the regular scheduled meeting of the Historic Preservation Review Commission to order at 7:00 pm. The following members were present: Gary Gimbel, Steve Knipe, Mark Jordan, Terry Colburn, Brance McCune, John Stillwagon and Chris Cox. Absent was: Ryan Perks. Also in attendance were Legal Counsel Chris Peterson, Planning Director/City Engineer Kim Petrucci and Planning Secretary Holly Hartman.

**APPROVAL OF August 7, 2017 MEETING MINUTES**

Commissioner Colburn made the motion to approve the August meeting minutes as presented. Commissioner Cox seconded the motion, which was followed by a unanimous vote of “aye”. Motion carried.

**STATEMENT OF PURPOSE**

Read by Chairman Gimbel. Zoning Ordinance Article 10

**I. UNFINISHED BUSINESS: None**

**II. NEW BUSINESS:**

- 1. CASE #HP 17-00006. 116 N. Queen Street. Public Hearing.** Application requesting a Certificate of Appropriateness to install an overhanging business sign. Berkeley Arts Council, applicant.

Melinda Shaver, president of the Berkeley Arts Council, provided an explanation of the project stating that they met with the consultant to redesign the sign. She stated they redesigned the sign; it will be the same size but have a different bracket. They are still determining the method of attachment to the building.

Commissioner Stillwagon asked how the sign would be attached to the building. Ms. Shaver replied that it was shown in the illustration of the sign design and in the technical drawing from the manufacturer. Both show the metal plate with screws.

Chairman Gimbel opened the public hearing at 7:08 pm.

- Jeff Molenda, 1216 W. King Street, spoke in favor of the request. He would like to see the request approved. Mr. Molenda is a small business owner and is on the Planning Commission and the Berkeley Arts Council. He stated that other similar towns revitalizing their downtown have updated their signs as well. He is surprised this is the first application for an overhanging sign.

As no one else came forward to speak for or against this request, the public hearing was closed at 7:10 pm.

Commissioner Cox made the motion to approve the request as submitted.

Commissioner Stillwagon seconded the motion that was followed by a unanimous vote of "aye". Motion approved.

- 2. CASE #HP 17-00008. 220 S. Queen Street. Public Hearing.** Application requesting a Certificate of Appropriateness to install a digital sign. First Presbyterian Church, applicant.

Roxie Vannoy, church member, provided an explanation of the project stating that the only part of the sign being changed is the part with the letter slots which will be replaced with a digital sign. The digital portion of the sign will be about 6.5 square-feet which is under the allowable coverage.

Chairman Gimbel asked if the sign would be color. Mr. Vannoy responded that there is color but they do not intend to use the color.

Chairman Gimbel opened the public hearing at 7:12 pm.

- Joe Palmer, church member, stated that he is in charge of the maintenance at the church. They have found the current sign to be very troublesome. The letters don't hold in the slots and are too old to be replaced. He stated that the sign will be primarily black background with white lettering stating the pastor's name, scripture readings and sermon for Sunday. The sign will be programmable from inside the church rather than having to go out in the weather to do so. Mr. Palmer would like to see the request approved.
- Legal Counsel read verbatim for the record a letter from Barbara Bratina opposed to the request. (Letter is attached)
- Jeff Molenda spoke in favor of the request stating that had the HPRC solicited letters from the public they would have received them from members of the church showing overwhelming support. He feels that someone who could not bother showing up at the meeting, even though she wants her hand in every bit of business that happens in downtown Martinsburg, should be given the weight they deserve which is zero.
- Joe Palmer spoke again in response to the letter of opposition. He stated that there are other signs hanging in the windows of Main Street; open, closed and blinking. He asked how they fit in with the comments mentioned in the letter. The church feels that if their sign is not approved then the other lighted signs should be removed from the downtown area.

- Louis Rinker, church member, spoke in favor of the request. He finds it difficult to understand in this discussion is that old sign has been in place for many years. The new sign will basically be the same. There are no structural size changes. The only thing being done is the installation of a sign allowing a digital message. He stated that the message will be very simple, not blinking or shining, and will show the message of the church. Mr. Rinker stated that due to the age and innards of the sign, it is very difficult to put the message there. The digital sign will say the same message. If approved, the only difference you will see is that the new sign will be lighted and not have the individual letters. With respect to the lady with the comments, he has read many of the articles in the newspaper about planning and downtown Martinsburg. He stated that in his opinion, this lady is one who has taken upon herself to challenge almost everything. She has that right, but as a commission they are not changing downtown Martinsburg. Their request is simple and he cannot see where it will make a difference to the downtown area.

As no one else came forward to speak for or against this request, the public hearing was closed at 7:21 pm.

Commissioner Cox asked if the sign was only capable of text or will it do graphics as well. Ms. Vannoy replied that it does have the capability of graphics but that is not how the church intends to use it. She stated that there is not an option available to purchase that is only black and white text. If it were available that is what they would have purchased. The size of screen needed to fit the existing sign limited the availability of what could be used.

Commissioner Cox asked if approved, can the commission dictate how the sign is used. Chairman Gimbel agreed that is the issue but he believes that the church on intends to use black and white. Legal Counsel Chris Peterson responded that they are not able to put a term on the sign that it can only be used in black and white text. That would go against freedom of speech and you cannot regulate the content of the sign itself. Commissioner Stillwagon asked if it could be stipulated that the sign only be black and white although capable of color. Chairman Gimbel mentioned that this is the first digital sign application presented to the commission. Commissioner Cox reminded him of the kiosk that was applied for and approved. Mr. Peterson stated that limiting the colors would be similar to limiting the colors presented on the previous sign request. Commissioner Stillwagon stated that they could not paint the sign from tan to red without coming back before the commission. Mr. Peterson agreed and stated that it presents a problem only because they are a body that normally is given one specific picture that is approved or not pursuant to specific guidelines. They are essentially approving the capacity to be able to do something which is another issue entirely and unless they are going to set the parameter for any time a message is changed that you have to come back for approval, takes the commission into uncharted grounds.

Chairman Gimbel referred to the digital sign on Tuskegee Avenue which is much larger than the requested sign and has flashing letters. Commissioner Knipe asked what type of monitor will be used, either LED or LCD. Ms. Vannoy replied that it is an LED. Commissioner Knipe explained that with an LCD there is a backlight that shines through the sign, essentially like a spotlight, but with an LED it is a soft lit light, causing less light pollution.

Commissioner Colburn stated that she is not opposed to the digital sign as plastic letters on a board are not historic either. The plastic letters are ugly and inconvenient. She asked if the concern was about setting a precedent for other businesses. Commissioner Stillwagon asked if the commission could control a red flashing open sign. Commissioner Knipe responded that they could not if it was inside behind the glass. Chairman Gimbel stated that neon signage is restricted.

Mr. Peterson stated that the calculations for the square footage should be based off of the top part of the sign, not the stone base. The current request was based off of the total size, top and base. Although, in this case, either calculation is still an allowable size for the digital portion of the sign. Ms. Vannoy stated that the calculation was done by the City Planner Tracy Smith.

Commissioner Stillwagon asked if the person responsible for changing the sign in attendance. Mr. Rinker stated that he is one of the church members able to change the message on the sign. Commissioner Stillwagon asked if he would only use black and white on the sign. Mr. Rinker replied that he only intends to use black and white.

Chairman Gimbel stated that there is no issue with what is being presented, but with the potential that at some point in the future that it could be used in color. Although that is not what is being presented today. The church is presenting a digital sign in black and white essentially reproducing the existing sign.

Commissioner Stillwagon made the motion to approve the request as submitted. Commissioner Jordan seconded the motion that was followed by a vote of “nay” from Commissioner Cox. Motion approved.

- 3. CASE #HP 17-00009. 526 W. Burke Street. Public Hearing.** Application requesting a Certificate of Appropriateness to replace metal roof with shingles. Melissa Geitwitz, applicant.

Morris Harman provided an explanation of the project stating that they would like to replace the metal roof on the porch with shingles to match the rest of the roof as the existing metal roof is an eyesore.

Commissioner Stillwagon asked the pitch of the porch roof. Mr. Harman replied approximately three to twelve.

Chairman Gimbel opened the public hearing at 7:33 pm. As no one came forward to speak for or against this request, the public hearing was closed at 7:33 pm.

Commissioner Cox made the motion to approve the request as submitted. Commissioner Stillwagon seconded the motion that was followed by a unanimous vote of "aye". Motion approved.

**III. OTHER BUSINESS: None**

**IV. DISCUSSION ITEMS: None**

**V. ACTION ITEMS: None**

**VI. ADJOURNMENT:**

Commissioner Cox made the motion to adjourn. Commissioner Knipe seconded the motion that was followed by a unanimous vote of "aye". The meeting was adjourned at 7:34 pm.

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Gary Gimbel, Chairperson

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Holly Hartman, Secretary