

## **Chapter 46 Historic Preservation**

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### **46-1 Purpose and Intent.**

The purpose of this ordinance is to serve the public interest and to promote the public welfare by:

- A. Carrying out the goals of the Comprehensive Plan to preserve the Historic Districts and individual landmarks, not only for their own value as community resources, but also because of their contributions to the Town's unique character;
- B. Promoting the identification, recognition, preservation, and enhancement of buildings, structures, and neighborhoods that have special historical, cultural, social, economic, political, artistic, architectural, or archaeological significance as provided by Section 15.2-2306 of the Code of Virginia, as amended;
- C. Retaining the basis of our heritage and foster pride in the Town's past by educating residents and visitors on local cultural and historic heritage;
- D. Increasing property values by encouraging the preservation and rehabilitation of significant historic buildings and structures;
- E. Preserve and enhance the Town's historic attractions for tourists and visitors, thereby supporting and stimulating business and industry, and strengthening the Town's economy; and,
- F. Enacting the regulations required to establish conditions for Preserve America grants and other similar funding opportunities which assist with the preservation of structures within the Historic Districts.

### **46-2 Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alteration:* Any change, modification, or addition to a part or the entire exterior of any existing building or structure.

*Board or ARB:* Means the Architectural Review Board.

*Building:* Any enclosed or open structure which is a combination of materials to form a

construction for occupancy or use.

*Certificate of Appropriateness:* An approval certificate and statement signed by the chairman of the ARB and the Town Planner or designee that certifies approval by the Board of the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building within the Historic Districts.

*Demolition:* The dismantling or tearing down of all or part of any building or structure and all incidental operations.

*Exterior Features:* The architectural style, general design, and general arrangement of the exterior of a building or other structure, including the color, type, and texture of the building material and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures, and other natural features, such as trees and shrubbery, that are subject to the public view from a public right-of-way, not including alleys, or a public place.

*Historic District:* Any area delineated by the Town Council in accordance with § 46-3 and consisting of public or private property within the Town containing one or more historic landmarks as established by the Virginia Department of Historic Resources, or one or more areas, neighborhoods, sites, places, structures, objects, artifacts, or buildings in which historic events occurred or reflecting significantly the lives of historic personages or great ideas or ideals of the people, having special public value because of notable architectural, economic, ethnic, military, natural, political, or social factors, such landmarks, buildings, structures or areas having been designated by the Council as being of such historic, architectural or cultural interest and significance as to warrant conservation and preservation. Such designated district or districts shall not extend farther than the property line of the areas pertaining to such historical landmarks, sites, buildings, signs, appurtenances, structures, or objects.

*Strasburg Historic Landmark:* Any property (including significant trees or other plant life located thereon), building, or structure of particular historic significance. *Landmarks* include sites, buildings, or structures where the cultural, political, archaeological, economic, social, or artistic history of the community, state, or nation is reflected or exemplified. *Landmarks* may also include property which is identified with historic personages or with important events in local, state, or national history or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style, or method of construction or a notable work of construction or a notable work of a master designer or architect. Listing on the Virginia Landmarks Register and the National Register of Historic Places is encouraged for all Strasburg Historic Landmarks.

*New Construction:* The construction of any building or structure that is independent and exclusive of an existing building or structure or part thereof.

*Reconstruction:* Any or all work needed to remake or rebuild all or a part of any building to a sound condition but not necessarily of original materials.

*Repairs:* Any or all work involving the replacement of existing work with equivalent

material for the purpose of maintenance but not including any addition, change, or modification in construction.

*Restoration:* Any or all work connected with the returning to or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials.

### **46-3 Applicability.**

- A. This ordinance shall apply to the areas designated under this ordinance and to other areas or places that may be designated by the Town Council as historic districts or landmarks following the effective date of this ordinance.
- B. *Boundaries.* The following historic districts within Strasburg are hereby maintained within the Town as an overlay on the official zoning map under authority of Code of Virginia, § 15.2-2306, as amended, and shall be known and described as the following:
  - 1. *H-1, Old Strasburg Historic District:* Beginning at a point (A) located on the north side of Stover Avenue at the town boundary; thence north along the town boundary to a point (B) at Cedar Spring Run; thence northeast parallel to the north side of Stover Avenue to a point (C) 150 feet west of the centerline of Capon Street, to the line of the Norfolk Southern Railroad at point (D); thence southeast along the line of the Norfolk Southern Railroad to a point (E) 150 feet east of the centerline of North Massanutten Street; thence south to a point (F) at the centerline of Brown Street; thence west along the centerline of Brown Street, 220 feet to point (G); thence north parallel to Massanutten Street to point (H) 220 feet south of the centerline of King Street; thence west parallel and 220 feet south of King Street centerline, to point (I) 300 feet east of the centerline of south Holliday Street; thence south parallel to the centerline of Holliday Street to point (J) at the 1984 town line at Ram Drive; thence northwest along the 1984 town line to point (K) at the centerline of South Fort Street; thence north to point (L) 130 feet west of the centerline of the intersection of Fort and High Streets; thence west along the centerline of High Street and the centerline extended to a point (M) 250 feet southeast of the south side of Stover Avenue; thence southwest parallel to Stover Avenue to the town limits at point (N); thence northwest to point (A) at the north side of Stover Avenue and the town limits.
  - 2. *H-2, Hupp Historic District:* Shall include the following properties totaling 5.73 acres identified by Parcel Identification Numbers (PIN) 025 ((A)) 004A (273 Cool Spring Road), 025 ((A)) 004 (551 North Massanutten Street), and 025 ((01)) 001B (558 North Massanutten Street).
- C. *Expansion.* The H-1 and H-2 Historic Districts may be enlarged and new historic districts and individual landmarks may be established pursuant to Code of Virginia, § 15.2-2306, as amended, upon the recommendation of the ARB and adoption by the Town Council. The Council may include property into new or existing historic districts with or without the consent of the property owner. In modifying existing or

creating new historic districts, the boundaries of such shall be clearly delineated using the services of a professional land surveyor.

- D. *Application for Designation.* Designations may be initiated by resolution of the Town Council upon recommendation of the ARB following application made to the Board by the owner of the property to be designated or following application of any organization with a recognized interest in historic preservation. The Town Council may institute a voluntary plaque program for designated historic properties.

#### **46-4 Application Required.**

- A. No building or structure located within the areas defined in § 46-3 shall be altered in any of the following ways until the proposal is reviewed as outlined in this ordinance and issued a Certificate of Appropriateness:
1. *Modification.* Modification to any portion of the exterior of an existing building or structure visible from a public right-of-way, not including alleys, except for routine repairs or color changes. Modifications shall be defined as follows:
    - a. Minor Modification. For purposes of this ordinance, a minor modification to an existing building or structure shall include, but is not limited to the following:
      - i. Minor modifications to the exterior features of a building or structure that do not impact its overall architectural style.
      - ii. Repairs beyond routine repairs that do not impact the overall architectural style of a building or structure.
    - b. Major Modification. For purposes of this ordinance, a major modification to an existing building or structure shall include, but is not limited to the following:
      - i. Significant restoration and/or reconstruction activities.
      - ii. Any action having a substantial impact on the character of the Historic District.
      - iii. Any action which changes the architectural style and details of the building or structure including porches, rooflines, windows, and trim.
      - iv. Building or structure additions which create additional floor space and accessory structures that are equal to or greater than 150 square feet.
    - c. Determination. It shall be the responsibility of the Town Planner or designee to determine, using the above criteria and any other provisions within this ordinance, whether a proposed modification is minor or major. An appeal to such a determination of the Town Planner shall be made to the Town Council in compliance with § 46-5(I).
  2. *Demolition.* Demolition of any building or structure, in whole or in part, as outlined in § 46-7.

3. *Movement or Relocation.*

- a. No building or structure subject to the provisions of this ordinance shall be moved or relocated unless a Certificate of Appropriateness has been issued by the ARB. The Board shall issue a Certificate of Appropriateness if relocation is the only feasible means of saving the building or structure from demolition or demolition by neglect unless it finds:
  - i. That the building or structure is of such historical, cultural, social, economic, political, artistic, architectural, or archaeological significance that its movement would be detrimental to the public interest, to the Historic Districts in whole or in part, or to the purposes of this ordinance;
  - ii. That the building or structure is of such old and unusual or uncommon design, texture, and material that it could not be effectively reproduced;
  - iii. That the building or structure would qualify as a national, state, or local historic landmark; and,
  - iv. That relocating the building or structure would jeopardize the integrity of its physical structure.

4. *New Buildings or Structures.* No new building, structure, or other features described below shall be constructed or installed unless a Certificate of Appropriateness is issued by the Town Planner or the Board. Requirements for new buildings and structures, signage, and other exterior site features shall be as follows:

- a. Exterior Site Features. Construction of exterior site features including outbuildings, walls, patios, decks, garages, and other accessory structures when any part of the structure or feature is visible from a public or private right-of-way or a public space.
- b. Signage. All new signage within the Historic Districts must conform to the design standards established by Town Code and the Historic District Design Guidelines.

**46-5 Application Process.**

- A. *Pre-application Conference.* Prior to submission of an application for any modification to buildings or structures within the area defined in § 46-3, the property owner or applicant shall request a meeting with the Town Planner or designee. During this meeting, the Town Planner or designee shall determine whether the proposal qualifies as a minor or major modification. The owner or applicant may also request to meet with the Board prior to submission of a formal application.
- B. *Minor Modification.* If it is determined during the pre-application conference that the proposal qualifies as a minor modification, the request shall be reviewed by the Town Planner as follows:

1. The property owner or applicant proposing a modification shall complete the form titled *Application for Proposed Improvements within the Historic District*. The application shall be accompanied with all of the following:
    - a. A written description that includes:
      - i. A list of all proposed modifications to existing and/or proposed buildings;
      - ii. A timeline of when construction of the proposed modifications will commence and be completed; and,
    - b. An application fee as set forth by the Town Council.
  2. The Town Planner or designee shall review the proposed minor modification for compliance with the review criteria outlined in § 46-6 and other pertinent sections of Town Code and shall either approve, disapprove, or approve with conditions. If the proposal is approved, the Town Planner shall issue a Certificate of Appropriateness which indicates the approved modifications and any conditions of approval. If the application is disapproved, the Town Planner shall indicate in a written statement to the applicant the reasons for such action and suggest conditions under which the application may be approved. After disapproval by the Town Planner, the applicant may request that the Board complete a full review of the application.
- C. *Major Modification or New Building*. If it is determined during the pre-application conference that the proposal qualifies as a major modification or a new building, the request shall be processed as follows:
1. The property owner or applicant shall complete the form titled *Application for Proposed Improvements within the Historic District*. No application shall be considered unless it is received by the Town Planner at least seven (7) calendar days before the scheduled monthly meeting of the Board. The application shall be accompanied with all of the following:
    - a. A scaled and dimensioned site plan of the property showing all existing and/or proposed buildings and structures including fences, porches, and other site features.
    - b. A written description that includes:
      - i. A list of all proposed modifications to existing and/or proposed buildings;
      - ii. A timeline of when construction of the proposed modifications will commence and be completed; and,
      - iii. A narrative of the history of the buildings, structures, and site including age of the buildings and structures, previous owners, current and past uses, and any other pertinent information.
    - c. Architectural elevations and photographs of all existing and/or proposed buildings and structures showing the location and extent of the proposed modification(s). The exhibits should clearly show the form and style of the buildings and structures including the height, mass, scale, architectural details,

fixtures (decorative or functional), materials, and colors.

- d. Cut sheets, specifications, photographs, samples, or other media indicating the materials and colors proposed for the modification.
- e. An application fee as set forth by the Town Council.

- 2. The Town Planner shall schedule a meeting of the ARB for the purpose of reviewing the proposal. The Board shall review the proposal for compliance with the review criteria outlined in § 46-6 and other pertinent sections of Town Code and shall either approve, disapprove, or approve with conditions. If the proposal is approved, the Board shall issue a Certificate of Appropriateness which indicates the approved modifications and any conditions of approval. If the application is disapproved, the Board shall indicate in their written record the reasons for such action and suggest conditions under which the application may be approved.

D. *Demolition.* If it is determined during the pre-application conference that the proposal includes a full or partial demolition as described in § 46-7, the request shall be processed as follows:

- 1. The property owner or applicant proposing a demolition shall complete the form titled *Application for Proposed Improvements within the Historic District*. No application shall be considered unless it is received by the Town Planner at least seven (7) calendar days before the scheduled monthly meeting of the Board. The application shall be accompanied with all of the following:
  - a. A scaled and dimensioned site plan of the property showing all existing and/or proposed buildings and structures including fences, porches, and other site features. The plan shall indicate which buildings, structures, or features are proposed for demolition and those which will remain in place.
  - b. A written description that includes:
    - i. A list of all structures proposed for demolition;
    - ii. A timeline of when demolition will commence and be completed; and,
    - iii. A narrative of the history of the buildings, structures, and site including age of the buildings and structures, previous owners, current and past uses, and any other pertinent information.
  - c. Architectural elevations and/or photographs of all existing and/or proposed buildings and structures showing the location and extent of the proposed demolition.
  - d. An application fee as set forth by the Town Council.
- 2. The Town Planner shall schedule a meeting of the ARB for the purpose of reviewing the proposed demolition. The Board shall review the proposal for compliance with the review criteria outlined in § 46 and other pertinent sections of Town Code and shall either approve, disapprove, or approve with conditions. If the demolition is approved, the Board shall issue a Certificate of Appropriateness which indicates the extent of the approved demolition and any

conditions of approval. If the demolition is disapproved, the Board shall indicate in their written record the reasons such action and suggest conditions under which the demolition may be approved.

E. *Timely Reviews.*

1. Town Planner Review. The Town Planner shall take action on an application no later than fourteen (14) calendar days after receiving the application, unless the applicant agrees otherwise.
2. Board Review. The Board shall take action on an application no later than seven (7) calendar days after the conclusion of the public meeting on the application. The Board, with the consent of the applicant, may vote to extend the time if it is decided that additional information or a professional consultant's services is required.

F. *Site Plan Review.* If a site plan application is required, as described in § 3-14 of Appendix A, Zoning, for the proposed action, then such application shall be submitted concurrently with the *Application for Proposed Improvements within the Historic District.*

G. *Zoning and/or Building Permit.* After receiving a Certificate of Appropriateness from the ARB or the Town Planner, the property owner or applicant shall apply for a zoning permit in compliance with § 5-1 of Appendix A, Zoning. If the approved activity requires a building permit issued by the Shenandoah County Department of Building Inspections, the application and issuance for such shall be completed prior to commencing approved activities.

H. *Construction Activity.* Following the issuance of a Certificate of Appropriateness and all other permits and approvals described in this section, the property owner or applicant may begin the approved construction or demolition activity. The Certificate of Appropriateness or a legible copy shall be posted on the property in a location visible from a public right-of-way during the construction or demolition phase.

I. *Final Inspection.* Subsequent to the completion of all approved activities, the Town Planner or designee shall conduct an inspection of the property to ensure that all activity has been completed as approved. If the construction or demolition activity has not been completed in compliance with the Certificate of Appropriateness, the Town Planner shall prepare a list of items not in compliance and may set a reasonable date by which all activity must be completed. If all activity is not completed by the date established, the Town Planner may revoke the Certificate of Appropriateness and/or may pursue enforcement action consistent with Town Code § 1-14.

J. *Appeal.* Any decision rendered through the process described in this section may be appealed to the Town Council within ninety (90) calendar days of the issuance of such decision. Appeals shall be written in the form of a letter to the Town Council and shall specify the desired action. In accordance with Virginia Code Section 15.2-2306(A)(3), decisions made by the Town Council on any application submitted in accordance with this ordinance may be appealed to the Circuit Court. Such an appeal shall be filed by the affected applicant within thirty (30) days after the final decision

is rendered by the Town Council.

#### **46-6 Review Criteria.**

- A. *General criteria.* In considering the appropriateness of any application, the Town Planner and the ARB shall be guided in their decisions by:
  - 1. The Strasburg Historic District Design Guidelines;
  - 2. The compatibility of the proposed change to the historical and architectural significance, quality, character, and scale of the surrounding properties;
  - 3. The impact of the proposed modification or new building or structure on the surrounding natural environment; and,
  - 4. The compatibility of the proposal with the goals for historic preservation detailed in the Comprehensive Plan and this ordinance.
- B. *Historic District Design Guidelines.* The Board shall create and review on an annual basis a set of design guidelines which shall apply to all existing and proposed buildings and structures covered by the scope of this ordinance. The guidelines shall be recommended by the ARB and adopted by resolution of the Town Council. Subsequent modifications to the guidelines shall also be approved by the Town Council.
- C. *Existing Buildings and Structures.* In deciding upon applications to alter buildings or structures, the ARB shall consider the architectural and historic significance as well as other pertinent information provided by the state historic landmark commission survey of 1984 or similar subsequent surveys, and shall consider criteria set forth in the Secretary of the Interior's Standards for Rehabilitation, current edition, as amended.
- D. *New Construction.* In reviewing applications for new construction, the Board shall take into account the extent to which the building or structure would be appropriate or incongruous to the historic district as well as its immediate surroundings. The ARB shall consider major design elements, including site planning; massing, proportion and scale; roof, windows, and doorways; and all exterior architectural elements, including height, materials, trim and other details. The Board may adopt additional guidelines for new construction as it deems appropriate.

#### **46-7 Demolition.**

- A. *Approval Required.* No building or structure subject to the provisions of this ordinance shall be demolished, in whole or in part, unless a Certificate of Appropriateness has been issued by the ARB.
- B. *Criteria for Demolition.* The ARB shall issue a Certificate of Appropriateness unless it finds:
  - 1. That the building or structure is of such historical, cultural, social, economic,

political, artistic, architectural, or archaeological significance that its demolition would be detrimental to the public interest, to the Historic Districts in whole or in part, or to the purposes of this ordinance;

2. That the building or structure is of such old and unusual or uncommon design, texture, and material that it could not be effectively reproduced;
3. That the building or structure would qualify as a national, state, or local historic landmark; and,
4. That one of the above conditions is true and the property can be put to a reasonably beneficial use, and that preservation is physically and economically feasible.

*C. Demolition Delay Period.*

1. The owner of a building or structure, the demolition of which is subject to the provisions of this ordinance, shall as a matter of right be entitled to raze or demolish such buildings or structures provided that:
  - a. They have complied with all local, state, and federal laws and regulations;
  - b. They have applied to the ARB as described in § 46-5 and have been issued a Certificate of Appropriateness within the previous twelve (12) months;
  - c. The owner has, for the following amounts of time, made an offer to sell the building(s) or structure(s) proposed for demolition and the land pertaining thereto:

<b>Offering Price</b>	<b>Delay Period</b>
\$0 - \$24,999	Three (3) Months
\$25,000 - \$39,999	Four (4) Months
\$40,000 - \$54,999	Five (5) Months
\$55,000 - \$74,999	Six (6) Months
\$75,000 - \$89,999	Seven (7) Months
\$90,000 or greater	Twelve (12) Months

The offering price must be a reasonable price related to its fair market value and require the purchaser to be a person, firm, corporation, government, or other public entity giving reasonable assurance that it will preserve and restore the building(s) or structure(s) and the land pertaining thereto;

- i. Unless the owner and the Board agree upon the value, the fair market value shall be established by the owner and the ARB both retaining an independent, qualified appraiser. If the two appraisers cannot agree upon a fair market value, those appraisers shall choose a third qualified appraiser. The three appraisers shall establish a median value. This value

shall be final and binding upon the owner and the ARB.

ii. Before making an offer to sell, an owner shall first file a written statement with the Board and publish said notice twice, not less than seven (7) calendar days apart, in a daily newspaper of general circulation in the Town. The statement shall include the following:

1. A general description of the property and its location;
2. The offering price;
3. The date the offer of sale is to begin; and,
4. The name and address of the listing real estate agent, if any.
5. A statement of assurance that the building(s) or structure(s) shall be maintained in its existing condition until it is sold or the time period established below has expired.

iii. The delay period required above shall not begin until the written statement has been provided to the Board and the first of the public notices has been published as required above.

2. During the demolition delay period, the Board may negotiate with the owner and with other entities in an effort to preserve, acquire, or relocate the buildings or structures. Negotiation steps may include, but shall not be limited to:

- a. Consultations with civic groups, public agencies, and interested citizens;
- b. Recommendations for acquisition of the building or structure by public or private entities;
- c. Exploration of the possibility of moving the building or structure; and,
- d. Options to salvage significant elements of the building or structure.

D. *Hazardous Buildings or Structures.* Nothing in this ordinance shall prevent the razing or demolition of any building or structure without issuance of a Certificate of Appropriateness if it is in such an unsafe condition that it would endanger life or property. However, such razing or demolition shall not be commenced without written approval of the Town Manager verifying the conditions necessitating such action.

#### **46-8 Architectural Review Board.**

A. *Appointment and Purpose.* The Architectural Review Board shall be appointed by the majority vote of the Town Council. In accomplishing the objectives of § 46-1 the Board shall serve:

1. To preserve and to protect buildings and structures within the defined Historic Districts through the review and regulatory processes stated in § 46 of the Town Code and provided by Section 15.2-2306 of the Code of Virginia, as amended.

2. To create, and to review annually, the Strasburg Historic District Design Guidelines.
  3. To create and to maintain a portfolio of historic interest for each property within the historic districts designated by the Strasburg Town Council. This portfolio will be modeled from the template provided by the Virginia Department of Historic Resources, and made available to the public in an electronic format.
  4. To be informed of and to share with property owners all available local, state, and national credits and renovation aids.
  5. To provide advice on historic preservation issues as requested by the Town Council.
- B. *Responsibilities.* The ARB shall be responsible for carrying out all duties specified in this article and other duties as may be requested by the Town Council. Specifically, the Board shall:
1. Create the Strasburg Historic District Design Guidelines. Once approved by the Town Council, the Board shall update it annually, with Council approval.
  2. Create and update at least every five years, a portfolio of historic preservation information for every structure within the historic district that meets the following criteria:
    - a. A minimum of 50 years of age.
    - b. A representation of a significant historic architectural style.
    - c. A representation of a significant historic, cultural, social, political, or artistic history of the Town of Strasburg.
    - d. Designated by the Virginia Department of Historic Resources.
  3. Provide current information on available grants, tax credits, private funding for historical renovations, and as information on historic preservation issues or concerns.
  4. Propose the inclusion of property into new or existing historic districts and propose the creation of new historic districts.
  5. Issue Certificates of Appropriateness for construction, reconstruction, exterior alteration, demolition, or relocation of buildings and structures within the Historic Districts as outlined in this ordinance.
  6. Review and make recommendations regarding historic preservation on applications for rezoning, special use permit, site development, subdivision, and variance in and around the Historic Districts, as requested by the Town staff or Council.
- C. *Authority.* The Board shall have the authority to:
1. Obtain the services of qualified consultants to advise and assist it within the limits of available appropriations.

2. Request and receive any appropriate information, cooperation, assistance, or studies from other Town agencies, subject to the approval of the Town Manager.
- D. *Composition and Terms.* There shall be no fewer than five and no more than seven members of the ARB. The members shall be appointed for three-year terms with a right of reappointment at the pleasure of the Town Council. Vacancies on the Board shall be filled within sixty (60) days. All members are expected to attend scheduled meetings on a regular basis. Failure to attend a minimum of 50 percent of all scheduled meetings over a six (6) month period shall constitute a resignation that must be acted upon by a majority vote of the Town Council.
  - E. *Qualifications.* All members of the ARB shall be Town residents and shall have a demonstrated interest, competence, or knowledge in historic preservation. The members of the Board shall reflect the requirements of the Virginia Department of Historic Resources. The members shall include a minimum of one person qualified in architecture or architectural history. Should no qualified Strasburg resident be available to serve in this capacity, applications from outside the Town shall be accepted to fill this post. At least one person must hold a demonstrated knowledge of Strasburg's historic homes and neighborhoods.
  - F. *Officers.* The ARB shall elect from its membership a chairman, vice-chairman, and secretary. These officers shall be elected annually, and a rotation of officers is encouraged.
  - G. *Meeting Procedure.* The chairman shall conduct the meetings of the ARB. In the absence of the chairman, the vice-chairman shall preside. Minutes of the meetings and permanent records of all resolutions, transactions, and determinations shall be kept, and shall be made available to the Town Council. All members of the ARB shall be entitled to vote, and the decisions of the ARB shall be determined by a majority of those members present and voting. A quorum is defined as a majority of the appointed membership.
  - H. *Rules of Procedure.* In matters covering procedures not included in this ordinance, the Board will establish its own by-laws, subject to legal review and approval by the Town Council.
  - I. *Public Meetings.* The ARB shall have regularly scheduled monthly meetings unless no action is required of the Board; however, the Board shall meet at least four (4) times annually. The chairman or the vice-chairman, in the chairman's absence, is empowered to call special meetings as may be necessary. Meetings of the ARB shall be publicly announced, in accordance with any legal requirement, and shall be open to the public.