HISTORIC DISTRICT REVIEW BOARD REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Wednesday, January 17, 2024 | 7:00 PM

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1. **Call to Order**

2. **Organizational Meeting**

   a. Election of Officers

3. **Approval of Minutes**

   a. December 6, 2023, Historic District Review Board Work Session Minutes

   b. December 20, 2023, Historic District Review Board Regular Meeting Minutes

4. **Comments**

   a. Comments from the Board Members

   b. Comments from the Staff Members

   c. Comments from Citizens
   Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

5. **Public Hearings**

   a. APPLICATION FOR DEMOLITION, HDRB #23-017, to consider an application for a Certificate of Appropriateness for the demolition of an accessory structure in the rear yard of the single-family residential property located at 641 Nash Street

   b. APPLICATION FOR A REDUCTION IN SETBACK, HDRB #23-018, to consider an application for a reduction of the required secondary front yard building setback from 35 feet to 20 feet, in accordance with Sec. 78-60.3(e) of the Herndon District Overlay, on the single-family residential property located at 706 Main Drive

6. New Business

a. Resolution to amend and restate the Bylaws of the Town of Herndon Historic District Review Board

7. Adjournment

Historic District Review Board Regular Meeting
Agenda Item 2.a.

Agenda Item: **Election of Officers**

Meeting Date: January 17, 2024

Category: Organizational Meeting

Prepared by: Lauri Sigler, Deputy Town Attorney

Description:
In accordance with the Historic District Review Board Bylaws and Herndon Town Code Section 78-150.4, the HDRB holds its election of officers annually at the first public hearing (regular meeting) of the Board in January. The Board will nominate and elect from its members a Chair and Vice Chair and designate a Secretary and Parliamentarian for one-year terms at the January 17, 2024 HDRB regular meeting.

Background:
N/A

Budget Impact:
None

Recommendation:
Staff recommends the Board nominate and elect from its members a Chair and Vice Chair and designate a Secretary and Parliamentarian for one-year terms.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD

RESOLUTION

JANUARY 17, 2024

Resolution - to elect the Officers and designate the Parliamentarian and Secretary of the Historic District Review Board.

BE IT RESOLVED by the Historic District Review Board of the Town of Herndon, Virginia that:

1. _____is elected Chair for a one-year term effective January 17, 2024.

2. _____ is elected Vice Chair for a one-year term effective January 17, 2024.

3. The Zoning Administrator or their designee is designated as Secretary for a one-year term effective January 17, 2024.

4. The Town Attorney or their designee is designated as Parliamentarian for a one-year term effective January 17, 2024.

Historic District Review Board
Regular Meeting
Agenda Item 3.a.

Agenda Item: **December 6, 2023, Historic District Review Board Work Session Minutes**

Meeting Date: January 17, 2024

Category: Approval of Minutes

Prepared by: Collin Okoniewski, Planning Operations Manager

Description:
This is a request to approve the December 6, 2023, Historic District Review Board Work Session Minutes.

Background:
N/A

Budget Impact:
None

Recommendation:
Recommend approval, as presented.

Attachments:
1. December 6, 2023 HDRB Work Session Draft Minutes

HISTORIC DISTRICT REVIEW BOARD
Work Session
December 6, 2023

The Historic District Review Board of the Town of Herndon, Virginia, met in work session on Wednesday, December 6, 2023, at 7:01 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Vice Chair Eric Boll, and Board Members Lauren Edmondson, Melody Fetske, Amy Oleinick, Anna Orlando, and William Savage. Chair Leslie Blaker-Glass was absent.

Staff present during the meeting: Tamsin Himes, Lead Planner/Design Development; Lauri Sigler, Deputy Town Attorney; and Aaron Zoellick, Clerk of Boards and Commissions.

1. Call to Order

Chair Blaker-Glass called the December 6, 2023, Historic District Review Board work session to order.

Chair Leslie Blaker-Glass stated that six members were present, which constituted a quorum.

2. Public Hearing

a. **APPLICATION FOR AN ALTERATION, HDRB #23-016**, to consider an application for a Certificate of Appropriateness for the construction of a new accessory structure in the rear yard of the single-family house located at 637 Oak Street, Herndon, Virginia, on the southwest corner of the intersection of Oak Street and Florence Place, and further identified as Fairfax County Tax Map 0162 02 0100C. The property is zoned R-10, Residential Single-Family District and consists of approximately 10,453 square feet of land. Owners: Melanie Adelle Tatum and Jordan Timothy Tatum. Applicant: Sean Ruppert, Opal Design Build.

Vice Chair Boll opened the work session and called on Ms. Himes for the staff report.

Ms. Himes delivered the staff memo and staff presentation dated December 6, 2023, which are on file with the Department of Community Development.

Ms. Himes stated that the proposed application was for a Certificate of Appropriateness for the construction of a new accessory structure in the rear yard of the single-family house located at 637 Oak Street, Herndon.

Staff is withholding a recommendation for HDRB #23-016 pending additional information from the applicant.

Vice Chair Boll recognized the board members for any questions of the staff.

Board members offered questions and comments regarding the size of the lot, any existing zoning actions, the driveway renderings, and images of the existing contributing structure.

Ms. Himes and Ms. Sigler responded to board members' questions and comments.

Vice Chair Boll recognized the applicant for comment.

The applicants, Melanie and Jordan Tatum, and their agent, Sean Ruppert, were present. Mr. Tatum provided brief comments. Mr. Ruppert provided comments and delivered a presentation which is on file with the Department of Community Development.

DRAFT

Vice Chair Boll recognized the board members for any questions of the applicant.

Board members offered questions and comments regarding the proposed dormers, the scale in comparison to the existing structure, the proposed window dormers and side windows, the roof materials, historic district tax credits, running water lines out to the proposed structure, and finishing the inside of the proposed structure.

Ms. Himes and the applicants responded to board members' questions and comments.

3. Comments

a. Comments from the Staff Members

Ms. Sigler stated that staff is working on updates to the Historic District Review Board bylaws.

Ms. Himes stated that staff is coordinating a discussion about tax credits available to historic homes.

b. Comments from the Board Members

Board member Orlando provided a comment about the historic district guidelines.

Ms. Sigler responded.

Board member Edmondson requested that staff provide and update on signs in the historic district.

Ms. Himes responded.

Board member Fetske stated that she appreciated the HDRB members collaborative discussions.

4. Adjournment

On the motion of board member Fetske, seconded by board member Oleinick, and without objection, the December 6, 2023, HDRB work session was adjourned at 8:17 p.m.

_____

Aaron Zoellick
Clerk of Boards and Commissions

Minutes approved by the Historic District Review Board:

Historic District Review Board Regular Meeting
Agenda Item 3.b.

Agenda Item: **December 20, 2023, Historic District Review Board Regular Meeting Minutes**

Meeting Date: January 17, 2024

Category: Approval of Minutes

Prepared by: Collin Okoniewski, Planning Operations Manager

Description:
This is a request to approve the December 20, 2023, Historic District Review Board Regular Meeting Minutes

Background:
N/A

Budget Impact:
None

Recommendation:
Recommend approval, as presented.

Attachments:
1. December 20, 2023 HDRB Regular Meeting Draft Minutes

TOWN OF Herndon VIRGINIA

HISTORIC DISTRICT REVIEW BOARD
REGULAR MEETING
DECEMBER 20, 2023

The Historic District Review Board of the Town of Herndon, Virginia, met in public hearing on Wednesday, December 20, 2023, at 7:01 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Vice Chair Eric Boll, and board members Lauren Edmondson, Melody Fetske, Amy Oleinick, Anna Orlando, and William Savage. Chair Leslie Blaker-Glass was absent.

Staff present during the meeting: Lauri Sigler, Deputy Town Attorney; Tamsin Himes, Lead Planner/Design Development; and Aaron Zoellick, Clerk of Boards and Commissions.

1. Call to Order

Vice Chair Boll called the meeting to order at 7:01 p.m. and stated that six members were present which constituted a quorum with Vice Chair Boll presiding.

2. Approval of the Minutes

a. November 1, 2023, Historic District Review Board Work Session Minutes

On motion by board member Fetske, seconded by board member Oleinick, the minutes from the November 1, 2023, Historic District Review Board Work Session were approved by a vote of 6 – 0.

The vote was: board members Fetske, Edmondson, Oleinick, Orlando, Savage, and Vice Chair Boll voting "Aye."

b. November 15, 2023, Historic District Review Board Regular Meeting Minutes

On motion by board member Fetske, seconded by board member Oleinick, the minutes from the November 15, 2023, Historic District Review Board Regular Meeting were approved by a vote of 6 – 0.

The vote was: board members Fetske, Edmondson, Oleinick, Orlando, Savage, and Vice Chair Boll voting "Aye."

3. Comments

a. Comments from the Board Members

No comments were provided.

b. Comments from the Staff Members

No comments were provided.

c. Comments from Citizens

No comments were provided.

4. Public Hearing

Vice Chair Boll asked staff if the public hearing item on the agenda was properly advertised.

Ms. Himes stated that the application was properly advertised with notices of the public hearing having been duly advertised in the December 8 and December 15, 2023, issues of the Fairfax County Times Newspapers. Certificates of Publication from the Editor of the Fairfax County Times Newspapers will be entered into the record upon receipt.

a. APPLICATION FOR AN ALTERATION, HDRB #23-016, to consider an application for a Certificate of Appropriateness for the construction of a new accessory structure at a single-family house located at 637 Oak Street, Herndon, Virginia, on the southwest corner of the intersection of Oak Street and Florence Place, and further identified as Fairfax County Tax Map 0162 02 0100C. The property is zoned R-10, Residential Single-Family District and consists of approximately 10,453 square feet of land. Owners: Melanie Adelle Tatum and Jordan Timothy Tatum. Applicant: Sean Ruppert, Opal Design Build.

Vice Chair Boll opened the public hearing and recognized Ms. Himes for the staff report.

Ms. Himes delivered the staff memo and staff presentation dated December 20, 2023, which is on file in the Department of Community Development. Ms. Himes stated this was an application for a Certificate of Appropriateness for the construction of a new accessory structure at a single-family house located at 637 Oak Street, Herndon.

Staff is recommending approval of HDRB #23-016 in accordance with the draft resolution.

Vice Chair Boll recognized board members for questions of staff.

No questions or comments were provided.

Vice Chair Boll recognized the applicant for comments.

The applicant Jordan Timothy Tatum was present and provided brief comments.

Vice Chair Boll recognized the board members for questions of the applicant.

Board members expressed enthusiasm for the application.

Vice Chair Boll recognized the audience for comments.

No comments were offered.

Vice Chair Boll closed the public hearing and moved to the board for discussion

Board member Fetske made a motion to approve HDRB #23-016 in accordance with the draft resolution. The motion was seconded by board member Savage.

The question was called on the motion, which was carried by a vote of 6 - 0.

The vote was: board members Fetske, Edmondson, Oleinick, Orlando, Savage, and Vice Chair Boll voting "Aye."

5. Adjournment

There being no further business, and without objection, the December 20, 2023, Historic District Review Board regular meeting was adjourned at 7:18 p.m. on the motion of board member Fetske, seconded by board member Edmondson.

_____

Aaron Zoellick
Clerk of Boards and Commissions

Minutes approved by the Historic District Review Board:

Historic District Review Board
Regular Meeting
Agenda Item 5.a.

Agenda Item: **APPLICATION FOR DEMOLITION, HDRB #23-017, to consider an application for a Certificate of Appropriateness for the demolition of an accessory structure in the rear yard of the single-family residential property located at 641 Nash Street**

Meeting Date: January 17, 2024

Category: Public Hearings

Prepared by: Tamsin Himes, Lead Planner/Design-Development, Bryce Perry, Deputy Director of Community Development

Description:
This is an application for a Certificate of Appropriateness for the demolition of an existing contributing accessory structure on a historic district property located at 641 Nash Street.

Background:
This memo is an addendum to the staff report provided to the Board prior to the January 3rd work session. The applicant was not in attendance at the work session. Staff has provided the applicant with a summary of the meeting and notes regarding the information and materials requested by the Board. At the time of this memo, no additional information or materials have been provided by the applicant.

At the work session, the Board requested additional information from staff regarding the history of the site and whether or not the shed was included in a stop work order from the Town for work on the primary structure on this property. The shed was not included in this stop work order. It should be noted that this application for demolition must be assessed by the Board on its own merit using the Guidelines and the provisions for demolition set out in the Zoning Ordinance. Financial or cost considerations, the applicant's intent, or the cause for the current state of shed should not be assessed in Public Hearing discussion or used as the basis for the Board's decision.

Additionally, the Board requested an engineer report from a licensed structural engineer with a detailed analysis of the shed including its current structural condition and what would be required to repair it, and images of the shed in relation to the primary structure. Note the actual language in zoning ordinance section 78-60.3(f)(4)(i) and in the Guidelines at page 127(2), is as follows:

Zoning Ordinance Sec. 78-60.3(f)(4)(i)	HDO Guidelines p. 127(2)
i. An economic and structural feasibility study prepared by a qualified professional is submitted that concludes rehabilitating or reusing the building or structure is not a practicable alternative.	2. Document the condition of the building to justify its removal and identify any existing hazards (structural unsoundness, abatement needs). a. Provide reports from professionals discussing their findings; examples include a structural report prepared by an engineer or an abatement report. Any reports should be signed and sealed by the professional who prepared them. Details included in the report should detail the onsite conditions that support the demolition. b. Provide a cost analysis of the expense of the rehabilitation versus market value of the property.

A report provided by the applicant should supplement the detailed assessment staff had previously requested of the applicant as expressed in the staff report dated January 3, 2023.

With the expectation that more detailed images will be provided by the applicant, staff has included some images of the shed as existing and seen from the right of way as attachments to this memo.

Demolition cases should be carefully considered, and every effort should be made to review them thoroughly and completely. The goal when considering any case should be to assess the project comprehensively and if possible, find a way to both meet the Guidelines and come to a conclusion that addresses the needs of the applicant. In this case, a thorough evaluation cannot be completed until additional information is provided by the applicant. A detailed assessment of the condition of the structure is necessary to help understand the reasons why demolition is being proposed and why the shed is structurally unsound and contains components that are beyond repair.

Budget Impact:
None

Recommendation:
Staff is recommending a continuance of this case to provide the applicant additional time to compile the requested information. Staff contacted the applicant following the work session to explain the Board comments and request the additional information.

Attachments:

1. Staff Provided Photos

LONG FENCE

Historic District Review Board
Regular Meeting
Agenda Item 5.b.

Agenda Item: **APPLICATION FOR A REDUCTION IN SETBACK, HDRB #23-018, to consider an application for a reduction of the required secondary front yard building setback from 35 feet to 20 feet, in accordance with Sec. 78-60.3(e) of the Herndon District Overlay, on the single-family residential property located at 706 Main Drive**

Meeting Date: January 17, 2024

Category: Public Hearings

Prepared by: Tamsin Himes, Lead Planner/Design-Development, Bryce Perry, Deputy Director of Community Development

Description:
This is an application to reduce a secondary front setback for a historic district property located at 706 Main Drive.

Background:
This memo is an addendum to the staff report dated January 3, 2024, for the above referenced case.

At the work session, the Board and applicant discussed the purpose of the reduction in setback, how the property at 706 Main Drive relates to nearby contributing structures, and staff's recommended conditions of approval. The applicant also provided information regarding the intended future rear yard addition. As a result of the discussion, staff is recommending approval with conditions in conformance with the draft resolution attached to this memo.

Budget Impact:
None

Recommendation:
Staff is recommending approval with the following conditions:

1) The secondary front setback shall be reduced to 21.2 feet to align with the placement of the existing house in relation to the right-of-way. No new buildings or portions of building can be placed closer than 21.2 feet from the Vine Street right-of-way.

2) This approval for a setback reduction does not in any way override other zoning

ordinance regulations such as, but not limited to, the minimum separation between accessory and primary structures, maximum lot coverage, and maximum building coverage.

Attachments:

1. Draft Resolution

TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD

DRAFT RESOLUTION

JANUARY 17, 2024

Resolution- to approve HDRB #23-018, for a reduction of the required secondary front yard building setback from 35 feet to 20 feet, in accordance with Sec. 78-60.3(e) of the Herndon District Overlay, on the single-family residential property located at 706 Main Drive, further identified as Fairfax County Tax Map 0162 04 0030B.

THEREFORE, BE IT RESOLVED by the Historic District Review Board of the Town of Herndon, Virginia that:

The Historic District Review Board approves HDRB #23-018, for a reduction of the required secondary front yard building setback at 706 Main Drive, Herndon, Virginia, in substantial conformance with the information shown in the case materials reviewed by the HDRB at the January 17, 2024, Public Hearing meeting and with the following conditions:

1) The secondary front setback shall be reduced from 35 feet to 21.2 feet to align with the placement of the existing house in relation to the right-of-way. No new buildings or portions of building can be placed closer than 21.2 feet from the Vine Street right-of-way.

2) This approval for a setback reduction does not in any way override other zoning ordinance regulations such as, but not limited to, the minimum separation between accessory and primary structures, maximum lot coverage, and maximum building coverage.

Historic District Review Board
Regular Meeting
Agenda Item 6.a.

Agenda Item: **Resolution to amend and restate the Bylaws of the Town of Herndon Historic District Review Board**

Meeting Date: January 17, 2024

Category: New Business

Prepared by: Lauri Sigler, Deputy Town Attorney

Description:
UPDATE: Since the January 3, 2024, work session an additional edit was made to the proposed Bylaws of the Historic District Review Board (HDRB). The first sentence of ARTICLE VII a., has been amended as follows: "PUBLIC ATTENDANCE. During all ~~public hearings and other~~ regular *and special* meetings of the HDRB, the public may be present, and a specific time shall be reserved for receipt of public comments." This amendment is consistent with the terminology in ARTICLE IV.

The current Bylaws of the Historic District Review Board (HDRB) of the Town of Herndon, Virginia, were last amended and adopted on February 16, 2022. The Department of Community Development in coordination with the Town Clerk's Office and the Town Attorney's Office, initiated a project to review and revise the Bylaws of all the Town's board and commissions (HDRB, Architectural Review Board, Board of Zoning Appeals and Planning Commission) to provide for more consistency among the boards and commissions when possible, update terminology to be consistent with language in the Herndon Town Code and the Code of Virginia, update meeting procedure to reflect current practices and propose a new meeting attendance obligation to be consistent with the Town Council's plan to amend Town Code Sec. 2-5 - Code of ethics for the members of the town council and council appointed board and commission members.

The most substantive amendment to the Bylaws can be found in ARTICLE I, BOARD MEMBERS, subsection (e.) REMOVAL. In accordance with Town Code Sec. 78-150.4, the current Bylaws state that any HDRB member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office. A new provision is proposed to be added to this subsection as follows: "Notwithstanding the foregoing provision, a member of the HDRB may be removed from office by the Town Council without limitation if the member is absent from any three consecutive meetings of the HDRB or is absent from any four meetings of the HDRB within any twelve-month period, beginning upon the date of the HDRB member's assumption in office."

This language about attendance already appears in the Bylaws for the Planning

Commission, and the Town Council has requested that all members of council appointed Boards and Commissions be subject to this same standard to be consistent with each other. Note that this language is permissive and states that a member may be removed, not shall be removed. The expectation of the Town Council is that Bylaws of the Historic District Review Board, Architectural Review Board, Board of Zoning Appeals would be amended to reflect attendance requirements similar to those being considered for Town Council.

This expectation was recently expressed by the Town Council when they requested staff to bring forward an Ordinance amending Sec. 2-5, the Town's Code of Ethics, to reflect the responsibility Town Council members have and members of council appointed Boards and Commissions have to faithfully and regularly attend meetings of their body. This ordinance amendment will be considered at the first set of Town Council meetings in January 2024. The proposed amendment to Sec. 2-5 specifies the ethical responsibility of Town Council members as public officials to regularly attend council meetings and specifies that Town Council members who fail to attend four (4) consecutive meetings or 25% of work sessions, regular meetings, and special meetings in a 12-month period without good cause are subject to censure by the Town Council for dereliction of their duties. This amendment further specifies that members of council appointed boards and commissions continue to be subject to the rules of attendance proscribed by the Code of Virginia, Herndon Town Code, and their applicable Bylaws.

Another substantive amendment can be found in ARTICLE IV, MEETINGS where subsections have been amended to be consistent with the language in Town Code Sec. 2-1, regarding the scheduling of Town Council meetings including the rescheduling of meetings due to unforeseen circumstances.

Changes to the Article regarding the conduct of persons appearing before the board (proposed ARTICLE VII) now includes the language about maintaining proper decorum which now more closely mirrors direction given in opening remarks at the Regular Town Council meeting.

In the Article regarding voting and transaction of business (proposed ARTICLE VII) the order of business has changed slightly but these changes will be implemented across all Boards and Commission.

Pursuant to Article IX. of the current Bylaws, a proposal for a modification to the Bylaws must be submitted to the board at a regular meeting and then scheduled for consideration and action at the next regular meeting. The revisions to the Bylaws are being introduced to the board at this work session for discussion and will be formally submitted again at the January 17, 2024, regular meeting for further review and discussion. This item will also be placed on the agenda for the February 21, 2022, regular meeting for consideration of the revisions and a final vote.

Background:
N/A

Budget Impact:
None

Recommendation:
Recommend approval of the Resolution to amend and restate the Bylaws of the Town of Herndon Historic District Review Board.

Attachments:
1. Resolution (Proposed) HDRB
2. HDRB Proposed Redline Bylaws 01.17.2024
3. HDRB Proposed Bylaws 01.17.2024

TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD

RESOLUTION

FEBRUARY 21, 2024

Resolution- to amend and restate the Bylaws of the Town of Herndon Historic District Review Board.

BE IT RESOLVED by the Historic District Review Board of the Town of Herndon, Virginia that:

1. The Historic District Review Board Bylaws are amended and restated as outlined in the attached.

~~**Town of Herndon, Virginia**~~

~~**Historic District Review Board**~~

~~**By-Laws**~~

~~**Introduction**~~

TOWN OF Herndon VIRGINIA

HISTORIC DISTRICT REVIEW BOARD BYLAWS DRAFT AMENDMENTS

INTRODUCTION

This Historic District Review Board *(HDRB)* is established pursuant to ~~§~~*Sec.* 78-150.4 of the *Code of the Town of* Herndon *(*Town Code~~.~~*).*

ARTICLE I~~.~~
BOARD MEMBERS

a. COMPOSITION/QUALIFICATIONS OF MEMBERS. ~~The Historic District Review Board (“~~*In accordance with Town Code Sec. 78-150.4, the* HDRB~~”)~~ shall ~~consist~~*be composed* of ~~SEVEN (7)~~*seven* members, five ~~(5)~~ of whom shall be members of the ~~Town’s~~*town’s* Architectural Review Board (ARB), along with two ~~(2)~~ additional members. At least one of the two *additional* members of the HDRB who ~~is~~*are* not on the ARB shall have a demonstrated interest, competence, or knowledge in historic preservation and at least one member shall be an architect or an architectural historian and have appropriate professional qualifications to qualify as an expert in the area of historic preservation. No more than two of the members on the combined ARB/ HDRB with *the required* professional qualifications ~~to qualify as~~*for* an ~~expert in the area of historic preservation~~*architect or an architectural historian* may be non-residents of the Town. The other members on the combined ARB/ HDRB shall be Town residents. The *five* ARB members serving on the HDRB shall be appointed pursuant to ~~section~~*Town Charter Section* 7.4:1(b~~) of the Town’s Charter.~~*).* The two additional members shall be appointed by Town Council pursuant to ~~§78-150.4 of the Herndon~~ Town Code *Sec. 78-150.4*.

b. TERM. ~~The~~*In accordance with Town Code Sec. 78-150.4, the* term of office of the *five* ARB members serving on the HDRB shall be concurrent with their membership on the ARB. The terms of the two additional HDRB members shall be three ~~(3) years~~*years. Any member is eligible for reappointment*.

c. RESIGNATION. Any member who resigns from the HDRB prior to the end of their term shall do so in writing to the ~~chair~~*Chair*. The effective date of such resignation shall be the date of the letter to the ~~chair~~*Chair,* unless another date is stated within the letter of resignation.

d. VACANCIES. ~~Vacancies~~*In accordance with Town Code Sec. 78-150.4, vacancies* occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term ~~by appointment by the Town Council for the unexpired term only. Any member is eligible for reappointment.~~*in the same manner as the original appointment.*

e. REMOVAL. ~~Any~~*In accordance with Town Code Sec. 78-150.4, any* member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office. *Notwithstanding the foregoing provision, a member of the HDRB may be removed from office by the Town Council without limitation if the member is absent from any three consecutive meetings of the HDRB or is absent from any four meetings of the HDRB within any twelve-month period, beginning upon the date of the HDRB member's assumption of office. In such an event, a successor shall be appointed by the Town Council for the unexpired portion of the term of the member who was removed.*

f. COMPENSATION. ~~All members of the~~*In accordance with Town Code Sec. 78-150.4,* HDRB ~~shall receive monthly~~*members'* compensation ~~in an amount approved~~*, if any, shall be fixed* by *resolution of* the Town Council.

g. TRAINING. In accordance with Town Code Sec. 78-150.4, newly appointed members of the HDRB shall be offered training by the Virginia Department of Historic Resources within two years of appointment.

ARTICLE II~~.~~
ELECTION AND DUTIES OF OFFICERS ~~OF THE HDRB~~

a. ~~a.~~ ELECTION OF ~~CHAIR/VICE-CHAIR. The HDRB shall~~ *OFFICERS. In accordance with Town Code Sec. 78-150.4, the HDRB shall elect a Chair and Vice Chair. Elections of officers shall occur* annually at ~~its first public hearing~~*the HDRB's regular meeting* in January~~, elect~~ *. Elections shall be conducted through the HDRB's usual voting process* from its appointed members ~~a~~.

~~a.~~*b. TERMS. In accordance with Town Code Sec. 78-150.4, the term of office of the* Chair and ~~a~~ Vice Chair ~~whose terms~~ shall be ~~for~~ one *(1)* year ~~or until a successor takes office~~. If the office of Chair becomes vacant, the Vice Chair automatically becomes Chair and the office of Vice Chair becomes vacant. The HDRB shall ~~then~~, after a new member has been appointed*, then* elect from its appointed members a new Vice Chair. If the office of Chair becomes vacant at a time when there is no Vice Chair, the HDRB shall elect from its current members both a Chair and a Vice Chair.

~~b.~~*c.* ~~b.~~ DUTIES OF CHAIR. ~~The~~*In accordance with Town Code Sec. 78-150.4, the* Chair shall preside over all ~~hearings and~~ meetings of the HDRB, ~~with~~ *decide points of order on procedure with the assistance of the Parliamentarian, and take such action as shall be necessary to preserve the order and integrity of proceedings before the HDRB. The Chair shall have* the same powers and duties as the other members *of the HDRB*, with vote but no veto power. ~~He~~*The Chair* shall be the official head of the HDRB and shall perform such other duties not inconsistent with ~~his~~*their* office including being informed of any official communication and reporting about such to the HDRB at the next regular HDRB meeting.

~~c.~~*d.* ~~c.~~ DUTIES OF VICE- CHAIR. ~~The~~ *In accordance with Town Code Sec. 78-150.4, the* Vice- Chair shall act in the absence or inability of the Chair to act, serve as *an* aide to the Chair ~~and~~*,* represent the Chair upon request.

~~d.~~*e.* ~~d.~~ CHAIR PRO TEM. ~~In~~ *In accordance with Town Code Sec. 78-150.4, in* the absence of ~~both~~ the ~~Chairman~~*Chair* and *the* Vice ~~Chairmen~~ *Chair*, the *longest serving* most senior *HDRB* member ~~of the HDRB~~ shall act as Chair and shall have powers of the ~~chair~~*Chair*.

ARTICLE III.
DESIGNATION AND DUTIES OF STAFF

~~The~~*In accordance with Town Code Sec. 78-150.4, the* Zoning Administrator or ~~his~~*their* designee*, in addition to any regular duties,* shall serve as the professional staff to the HDRB. The duties of such staff shall include the preparation and presentation of applications before the HDRB, preparation of ~~draft~~*meeting* minutes, preparation and compilation of a written record of the official actions of the HDRB ~~(minutes)~~*,* which shall be posted on the Town's website and filed in the ~~office~~*Department* of ~~the Zoning Administrator at 777 Lynn Street~~*Community Development,* and preparation of official correspondence to and from the HDRB as directed by the Chair.

ARTICLE IV.
MEETINGS

a. REGULAR MEETINGS. The HDRB shall *MEETING SCHEDULE. In accordance with Town Code Sec. 78-150.4, the HDRB may* meet in regular session on the third Wednesday of each month*, and in work sessions on the first Wednesday of each month* at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the fourth Wednesday of the month unless otherwise provided by resolution of the HDRB. The HDRB may also meet *or* at such other times or places*time and place* within the boundaries of the Town of Herndon that the HDRB designates*as may be fixed* by duly adopted resolution.

b. POSTPONED OR CANCELED. Should the conduct of a regular meeting be unnecessary due to a lack of applications*items* for consideration or*,* impossible due to the inability to obtain a quorum, or due to weather or other conditions*condition* such that it is hazardous for members to attend the regular meeting, as declared in writing by the chair, the regular meeting shall be continued to the next regular meeting day at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. The press*Chair, the meeting may be postponed or canceled and notice of such postponement or cancelation and the rescheduled date,* shall be notified as promptly as possible. All*published by staff. All public* hearings and other matters previously advertised shall be conducted at the continued*rescheduled* meeting and no further advertisement is required*, unless required by law*.

c.
b. REGULAR WORK SESSIONS AND SPECIAL MEETINGS. The HDRB shall meet in regular work session on the first Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the second Wednesday unless otherwise provided by the resolution of the HDRB.*SPECIAL MEETINGS.* Special meetings or additional work sessions of the HDRB may be called when necessary by the Chair *or any two members upon written request to the staff,* and notice shall be provided at least five business days*24 hours* in advance to members, the public*,* and the press.

a. e*d*. PUBLIC HEARINGS. Public hearings are *scheduled during regular meetings, are* open to the public*,* and citizens *members of the public* are encouraged to speak. *The purpose of public hearings is to receive testimony from the public.* Members of the HDRB are not expected to respond to general questions. Response to questions shall be made at

~~the discretion of the Chair.~~

Notice of public ~~hearing~~*hearings* shall be provided in accordance with *the* Code of Virginia and the ~~Herndon~~ Town Code and may be supplemented with additional notices as deemed appropriate by the HDRB or staff.

~~Sign-in forms, if deemed necessary by the Chair, shall be completed by persons desiring to speak, listing printed name, phone number, and address of the person desiring to speak, and application number of the issue to be addressed.~~

~~Members of the public or their representatives desiring to address the HDRB shall proceed to the appointed place, clearly state their names and addresses, and shall be subject to the following time limitations: 10 minutes total for the applicant and any of the applicant's representatives; 3 minutes per individual for all others. The Chair may, at personal discretion, allow additional time for speakers.~~

~~Members of the HDRB shall limit their comments to ensure public participation without HDRB interference. At the completion of each presentation, members of the HDRB shall have an opportunity to ask questions or clarify points made during the speaker's presentation.~~

~~(d)~~*e.* ORDER OF PUBLIC HEARING.

i. ~~•~~

Presentation by staff summarizing the item~~.~~

ii. ~~•~~

Presentation by the applicant~~.~~

iii. ~~•~~

Testimony of ~~citizens~~*members of the public* desiring to speak~~.~~

iv. ~~•~~

Concluding comments by the applicant*; questions by HDRB members*, if the Chair determines such are necessary~~; questions by HDRB members.~~

v. ~~•~~

Concluding comments by staff*; questions by HDRB members*, if the Chair determines such are necessary~~; questions by HDRB members.~~

vi. ~~•~~

Public hearing closed by the Chair~~.~~

vii. ~~•~~

Motion

viii. ~~•~~

Discussion by HDRB members~~.~~

ix. ~~•~~

Vote ~~(~~roll call *(or other means if deemed necessary by the Chair)*

f. CONTINUTED DELIBERATION OF PUBLIC HEARING ITEMS. At the completion of the hearing on each item, the HDRB shall proceed with its deliberation on that item and members shall have an additional opportunity for discussion, and then a vote ~~if deemed necessary by the Chair)~~*shall be taken. Continuing an item to another meeting shall only occur upon motion, second, and vote of the HDRB properly made and the motion shall specify the date when the item will again be considered.*

~~(e)~~*g.* ELECTRONIC PARTICIPATION IN MEETINGS. ~~A~~*In accordance with Town Code Sec. 2-4, a* member of the HDRB may participate in a meeting that is not a public hearing from a remote location ~~only pursuant to the requirements set forth in Sec. 2-4 of the Code of the Town of Herndon.~~.

ARTICLE ~~V.~~*VI*
CONDUCT OF THE *BOARD* MEMBERS ~~OF THE HISTORIC DISTRICT REVIEW BOARD~~

~~b.~~*a.* ~~Section 2-5 of the Code of the~~*CODE OF ETHICS.* Town ~~of Herndon~~*Code Sec. 2-5*, "Code of Ethics for the Members of the Town Council and Council Appointed Board and Commission Members" is hereby incorporated by reference and members of the HDRB shall so govern their actions.

b. ENCOURAGE PUBLIC PARTICIPATION. Members of the HDRB shall limit their comments to ensure public participation without HDRB interference. At the completion of each presentation, members of the HDRB shall have an opportunity to ask questions or clarify points made during the speaker's presentation.

c. BOARD RESPONSE. Members of the HDRB are not expected to respond to general questions. Response to questions shall be made at the discretion of the Chair.

ARTICLE ~~VI.~~ *VII*
CONDUCT OF PERSONS
APPEARING BEFORE THE ~~HISTORICE~~*HISTORIC* DISTRICT REVIEW BOARD

a. *PUBLIC ATTENDANCE.* During all ~~public hearings and other~~ regular *and special* meetings of the HDRB, the public may be present, and a specific time shall be reserved for receipt of public comments. At *all* other times, the public shall remain silent unless specifically invited by a member of the HDRB and permitted by the Chair to provide comment.

~~Comments should be addressed to the item before the HDRB. If a comment is irrelevant, inflammatory, or prejudicial, the Chair may instruct the members to "disregard" the comment, which nevertheless remains in the public record.~~

b. PROPER DECORUM. During all HDRB proceedings, members of the public have the obligation to maintain proper decorum. Individuals should be respectful, clear, and concise, and demonstrate integrity in comments and actions. The use of profane, vulgar, obscene, or threatening remarks is not permitted and may result in removal from the meeting. Individuals should refrain from participating unless recognized by the Chair; this includes booing, clapping, and cheering.

c. TIME AND PLACE. Members of the public, applicants, or their representatives desiring to address the HDRB shall proceed to the appointed place, clearly state their name and address, and shall be subject to the following time limitations: ten minutes total for the applicant, including any of the applicant's representatives; three minutes per individual for all others. The Chair may, at their discretion, allow additional time for speakers.

d. SIGN-IN. Sign-in forms, if deemed necessary by the Chair, shall be completed by

persons desiring to speak, listing printed name, phone number, address of the person desiring to speak, and application of the issue to be addressed.

e. WRITTEN COMMENTS AND TESTIMONY. Written comments may be submitted at least twenty-four hours prior to the meeting to ensure distribution to the HDRB members in time for review. Any written comments and testimony received shall become part of the public record.

f. WORK SESSIONS. During all work sessions of the HDRB, the public may be present but shall remain silent unless specifically invited by the Chair of the HDRB to provide comment. Formal rules of procedure may be suspended for HDRB work sessions.

ARTICLE ~~VII.~~ *VIII*
VOTING AND TRANSACTION OF BUSINESS

a. ~~a.~~ PARLIAMENTARY AUTHORITY. Parliamentary procedure at *all* HDRB meetings shall be governed by the most recent edition of Robert's Rules of Order, newly revised, as applicable to boards, except to the extent set out otherwise in these bylaws*, Town Code,* or the Code of Virginia. The Town Attorney ~~is~~*, or their designee, shall be* Parliamentarian of the HDRB.

b. ~~b.~~ QUORUM. ~~A~~*In accordance with Town Code Sec. 78-150.4, a* quorum shall consist of four members of the HDRB and no action of the HDRB shall be valid unless authorized by a majority vote of those present and voting. *Any member who knows they will be absent from or will have to abstain from any matter shall notify the Chair and staff at least twenty-four hours prior to the meeting of such fact.*

c. LACK OF QUORUM. If a quorum is not present at the time set for the meeting, the Chair shall wait until there is a quorum. If no quorum is present after a reasonable time, at the discretion of the Chair, and there appears to be no prospect that a quorum will assemble with additional reasonable time, then the Chair shall call the meeting to order, announce the absence of a quorum, and entertain a motion to adjourn.

~~b.~~*d. VOTING. All members of the HDRB shall be entitled to vote.* Unless otherwise specified by the Chair, actions shall be by oral vote with the vote of each member recorded in the minutes.

~~c.~~*e.* ~~c.~~ SUSPENSION OF THE RULES. No rule of the HDRB shall be suspended without the concurrence of three-fourths of the members present and such suspension shall be limited to the meeting then in progress.

~~d.~~*f.* ~~d.~~ AGENDA. The activities at any ~~regular~~ meeting of the HDRB shall be in accordance with ~~a formal~~*an* agenda. Such *an* agenda shall be distributed to the HDRB and made available to the public prior to each meeting.

~~e.~~*g.* ~~e.~~ ORDER OF BUSINESS (~~Regular Meeting~~*REGULAR MEETING*). At regular meetings of the HDRB, business shall be conducted in the following manner:

1. Call to ~~order and roll call~~*Order*
- ~~Approval of minutes of the last meeting(s)~~
2. *Election of Officers, when necessary*
3. *Staff Comment*
4. Board ~~comment period~~*Comment*
- ~~Staff comment period~~
- ~~Citizen comment period~~
5. Public ~~hearings~~*Comment*
- ~~Special items deferred from previous meetings~~

~~Old~~*6. Public Hearings*

7. *Regular* Business
- ~~New Business~~
- ~~Staff Reports~~
- ~~Committee Reports~~
- ~~HDRB Reports and requests~~
- ~~Future Business~~

8. *Consent (includes minutes)*
9. Adjournment

~~f.~~*h.* ~~f.~~ ORDER OF BUSINESS (~~Special Meetings~~*WORK SESSIONS AND SPECIAL MEETINGS*). The order of business at special meetings shall be in accordance with the agenda set by the Chair for such ~~special~~ meetings.

~~g.~~*i.* ~~g.~~ AMENDMENTS TO AGENDA. Agendas may be amended ~~and/or items added or deleted from the agenda~~ by majority concurrence of the members *present*.

ARTICLE ~~VIII.~~ *IX*
SEPARABILITY

Should any article of the HDRB bylaws be found to be void, the remaining articles shall remain in effect.

ARTICLE ~~IX.~~ *X*
MODIFICATION OF BYLAWS

Modification of these bylaws shall be approved by the HDRB in *a* regular ~~session~~*meeting*. Proposals for modification shall be submitted to the HDRB at a regular meeting and shall be scheduled for consideration and action at the next regular meeting. ~~An~~*In accordance with Town Code Sec. 78-150.4, an* affirmative vote of a majority of the entire HDRB shall be required to modify the bylaws.

HISTORIC DISTRICT REVIEW BOARD BYLAWS

DRAFT AMENDMENTS

INTRODUCTION

This Historic District Review Board (HDRB) is established pursuant to Sec. 78-150.4 of the Code of the Town of Herndon (Town Code).

ARTICLE I
BOARD MEMBERS

a. COMPOSITION/QUALIFICATIONS OF MEMBERS. In accordance with Town Code Sec. 78-150.4, the HDRB shall be composed of seven members, five of whom shall be members of the town's Architectural Review Board (ARB), along with two additional members. At least one of the two additional members of the HDRB who are not on the ARB shall have a demonstrated interest, competence, or knowledge in historic preservation and at least one member shall be an architect or an architectural historian and have appropriate professional qualifications to qualify as an expert in the area of historic preservation. No more than two of the members on the combined ARB/ HDRB with the required professional qualifications for an architect or an architectural historian may be non-residents of the Town. The other members on the combined ARB/ HDRB shall be Town residents. The five ARB members serving on the HDRB shall be appointed pursuant to Town Charter Section 7.4:1(b). The two additional members shall be appointed by Town Council pursuant to Town Code Sec. 78-150.4.

b. TERM. In accordance with Town Code Sec. 78-150.4, the term of office of the five ARB members serving on the HDRB shall be concurrent with their membership on the ARB. The terms of the two additional HDRB members shall be three years. Any member is eligible for reappointment.

c. RESIGNATION. Any member who resigns from the HDRB prior to the end of their term shall do so in writing to the Chair. The effective date of such resignation shall be the date of the letter to the Chair, unless another date is stated within the letter of resignation.

d. VACANCIES. In accordance with Town Code Sec. 78-150.4, vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term

in the same manner as the original appointment.

e. REMOVAL. In accordance with Town Code Sec. 78-150.4, any member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office. Notwithstanding the foregoing provision, a member of the HDRB may be removed from office by the Town Council without limitation if the member is absent from any three consecutive meetings of the HDRB or is absent from any four meetings of the HDRB within any twelve-month period, beginning upon the date of the HDRB member's assumption of office. In such an event, a successor shall be appointed by the Town Council for the unexpired portion of the term of the member who was removed.

f. COMPENSATION. In accordance with Town Code Sec. 78-150.4, HDRB members' compensation, if any, shall be fixed by resolution of the Town Council.

g. TRAINING. In accordance with Town Code Sec. 78-150.4, newly appointed members of the HDRB shall be offered training by the Virginia Department of Historic Resources within two years of appointment.

ARTICLE II
ELECTION AND DUTIES OF OFFICERS

a. ELECTION OF OFFICERS. In accordance with Town Code Sec. 78-150.4, the HDRB shall elect a Chair and Vice Chair. Elections of officers shall occur annually at the HDRB's regular meeting in January. Elections shall be conducted through the HDRB's usual voting process from its appointed members.

b. TERMS. In accordance with Town Code Sec. 78-150.4, the term of office of the Chair and Vice Chair shall be one (1) year. If the office of Chair becomes vacant, the Vice Chair automatically becomes Chair and the office of Vice Chair becomes vacant. The HDRB shall, after a new member has been appointed, then elect from its appointed members a new Vice Chair. If the office of Chair becomes vacant at a time when there is no Vice Chair, the HDRB shall elect from its current members both a Chair and a Vice Chair.

c. DUTIES OF CHAIR. In accordance with Town Code Sec. 78-150.4, the Chair shall preside over all meetings of the HDRB, decide points of order on procedure with the assistance of the Parliamentarian, and take such action as shall be necessary to preserve the order and integrity of proceedings before the HDRB. The Chair shall have the same powers and duties as the other members of the HDRB, with vote but no veto power. The Chair shall be the official head of the HDRB and shall perform such other duties not inconsistent with their office including being informed of any official communication and reporting about such to the HDRB at the next regular HDRB meeting.

d. DUTIES OF VICE CHAIR. In accordance with Town Code Sec. 78-150.4, the Vice Chair shall act in the absence or inability of the Chair to act, serve as an aide to the Chair, represent the Chair upon request.

e. CHAIR PRO TEM. In accordance with Town Code Sec. 78-150.4, in the absence of the Chair and the Vice Chair, the longest serving most senior HDRB member shall act as Chair and shall have powers of the Chair.

ARTICLE III
DESIGNATION AND DUTIES OF STAFF

In accordance with Town Code Sec. 78-150.4, the Zoning Administrator or their designee, in addition to any regular duties, shall serve as the professional staff to the HDRB. The duties of such staff shall include the preparation and presentation of applications before the HDRB, preparation of meeting minutes, preparation and compilation of a written record of the official actions of the HDRB, which shall be posted on the Town's website and filed in the Department of Community Development, and preparation of official correspondence to and from the HDRB as directed by the Chair.

ARTICLE IV
MEETINGS

a. MEETING SCHEDULE. In accordance with Town Code Sec. 78-150.4, the HDRB may meet in regular session on the third Wednesday of each month, and in work sessions on the first Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia or at such other time and place within the boundaries of the Town of Herndon as may be fixed by resolution.

b. POSTPONED OR CANCELED. Should the conduct of a meeting be unnecessary due to a lack of items for consideration, impossible due to the inability to obtain a quorum, or due to weather or other condition such that it is hazardous for members to attend the meeting, as declared in writing by Chair, the meeting may be postponed or canceled and notice of such postponement or cancelation and the rescheduled date, shall be published by staff. All public hearings and other matters previously advertised shall be conducted at the rescheduled meeting and no further advertisement is required, unless required by law.

c. SPECIAL MEETINGS. Special meetings or additional work sessions of the HDRB may be called when necessary by the Chair or any two members upon written request to the staff, and notice shall be provided at least 24 hours in advance to members, the public,

and the press.

d. PUBLIC HEARINGS. Public hearings are scheduled during regular meetings, are open to the public, and members of the public are encouraged to speak. The purpose of public hearings is to receive testimony from the public. Notice of public hearings shall be provided in accordance with the Code of Virginia and the Town Code and may be supplemented with additional notices as deemed appropriate by the HDRB or staff.

e. ORDER OF PUBLIC HEARING.

i. Presentation by staff summarizing the item

ii. Presentation by the applicant

iii. Testimony of members of the public desiring to speak

iv. Concluding comments by the applicant; questions by HDRB members, if the Chair determines such are necessary

v. Concluding comments by staff; questions by HDRB members, if the Chair determines such are necessary

vi. Public hearing closed by the Chair

vii. Motion

viii. Discussion by HDRB members

ix. Vote roll call (or other means if deemed necessary by the Chair)

f. CONTINUTED DELIBERATION OF PUBLIC HEARING ITEMS. At the completion of the hearing on each item, the HDRB shall proceed with its deliberation on that item and members shall have an additional opportunity for discussion, and then a vote shall be taken. Continuing an item to another meeting shall only occur upon motion, second, and vote of the HDRB properly made and the motion shall specify the date when the item will again be considered.

g. ELECTRONIC PARTICIPATION IN MEETINGS. In accordance with Town Code Sec. 2-4, a member of the HDRB may participate in a meeting that is not a public hearing from a remote location.

ARTICLE VI
CONDUCT OF THE BOARD MEMBERS

a. CODE OF ETHICS. Town Code Sec. 2-5, “Code of Ethics for the Members of the Town Council and Council Appointed Board and Commission Members” is hereby incorporated by reference and members of the HDRB shall so govern their actions.

b. ENCOURAGE PUBLIC PARTICIPATION. Members of the HDRB shall limit their comments to ensure public participation without HDRB interference. At the completion of each presentation, members of the HDRB shall have an opportunity to ask questions or clarify points made during the speaker's presentation.

c. BOARD RESPONSE. Members of the HDRB are not expected to respond to general questions. Response to questions shall be made at the discretion of the Chair.

ARTICLE VII
CONDUCT OF PERSONS
APPEARING BEFORE THE HISTORIC DISTRICT REVIEW BOARD

a. PUBLIC ATTENDANCE. During all regular and special meetings of the HDRB, the public may be present, and a specific time shall be reserved for receipt of public comments. At all other times, the public shall remain silent unless specifically invited by a member of the HDRB and permitted by the Chair to provide comment.

b. PROPER DECORUM. During all HDRB proceedings, members of the public have the obligation to maintain proper decorum. Individuals should be respectful, clear, and concise, and demonstrate integrity in comments and actions. The use of profane, vulgar, obscene, or threatening remarks is not permitted and may result in removal from the meeting. Individuals should refrain from participating unless recognized by the Chair; this includes booing, clapping, and cheering.

c. TIME AND PLACE. Members of the public, applicants, or their representatives desiring to address the HDRB shall proceed to the appointed place, clearly state their name and address, and shall be subject to the following time limitations: ten minutes total for the applicant, including any of the applicant’s representatives; three minutes per individual for all others. The Chair may, at their discretion, allow additional time for speakers.

d. SIGN-IN. Sign-in forms, if deemed necessary by the Chair, shall be completed by persons desiring to speak, listing printed name, phone number, address of the person desiring to speak, and application of the issue to be addressed.

e. WRITTEN COMMENTS AND TESTIMONY. Written comments may be submitted at least twenty-four hours prior to the meeting to ensure distribution to the HDRB members in time for review. Any written comments and testimony received shall become part of the public record.

f. WORK SESSIONS. During all work sessions of the HDRB, the public may be present but shall remain silent unless specifically invited by the Chair of the HDRB to provide comment. Formal rules of procedure may be suspended for HDRB work sessions.

ARTICLE VIII
VOTING AND TRANSACTION OF BUSINESS

a. PARLIAMENTARY AUTHORITY. Parliamentary procedure at all HDRB meetings shall be governed by the most recent edition of Robert's Rules of Order, newly revised, as applicable to boards, except to the extent set out otherwise in these bylaws, Town Code, or the Code of Virginia. The Town Attorney, or their designee, shall be Parliamentarian of the HDRB.

b. QUORUM. In accordance with Town Code Sec. 78-150.4, a quorum shall consist of four members of the HDRB and no action of the HDRB shall be valid unless authorized by a majority vote of those present and voting. Any member who knows they will be absent from or will have to abstain from any matter shall notify the Chair and staff at least twenty-four hours prior to the meeting of such fact.

c. LACK OF QUORUM. If a quorum is not present at the time set for the meeting, the Chair shall wait until there is a quorum. If no quorum is present after a reasonable time, at the discretion of the Chair, and there appears to be no prospect that a quorum will assemble with additional reasonable time, then the Chair shall call the meeting to order, announce the absence of a quorum, and entertain a motion to adjourn.

d. VOTING. All members of the HDRB shall be entitled to vote. Unless otherwise specified by the Chair, actions shall be by oral vote with the vote of each member recorded in the minutes.

e. SUSPENSION OF THE RULES. No rule of the HDRB shall be suspended without the concurrence of three-fourths of the members present and such suspension shall be limited to the meeting then in progress.

f. AGENDA. The activities at any meeting of the HDRB shall be in accordance with an agenda. Such an agenda shall be distributed to the HDRB and made available to the public prior to each meeting.

g. ORDER OF BUSINESS (REGULAR MEETING). At regular meetings of the HDRB, business shall be conducted in the following manner:

1. Call to Order
2. Election of Officers, when necessary
3. Staff Comment
4. Board Comment
5. Public Comment
6. Public Hearings
7. Regular Business
8. Consent (includes minutes)
9. Adjournment

h. ORDER OF BUSINESS (WORK SESSIONS AND SPECIAL MEETINGS). The order of business at special meetings shall be in accordance with the agenda set by the Chair for such meetings.

i. AMENDMENTS TO AGENDA. Agendas may be amended by majority concurrence of the members present.

ARTICLE IX
SEPARABILITY

Should any article of the HDRB bylaws be found to be void, the remaining articles shall remain in effect.

ARTICLE X
MODIFICATION OF BYLAWS

Modification of these bylaws shall be approved by the HDRB in a regular meeting. Proposals for modification shall be submitted to the HDRB at a regular meeting and shall be scheduled for consideration and action at the next regular meeting. In accordance with Town Code Sec. 78-150.4, an affirmative vote of a majority of the entire HDRB shall be required to modify the bylaws.