

SHEPHERDSTOWN HISTORIC LANDMARKS COMMISSION

Monday, April 6, 2026

6:00 p.m.

TOWN HALL

104 NORTH KING STREET, SHEPHERDSTOWN

<https://us06web.zoom.us/j/86067120451?pwd=fWNLscmYpiOmof8Pknlig4oZKNXa8i.1>

1. Call to Order:

2. Approval of Previous Months' Minutes: March 2, 2026

3. Visitors:

4. Conflicts of Interest:

5. Applications:

26-07 101 N. Browns Alley

Installation of wooden storage shed on a pre-existing concrete pad.

26-08 314 W. German Street

Replacement of porch railing and the addition of stairs to side yard.

26-09 200 E. High Street Blue Moon Cafe

Installation of temporary/seasonal pergola covered outdoor seating area located in a portion of the existing parking area.

6. Workshop Sessions:

7. Ongoing Business:

- Update on Mills Group materials
- Historical Markers Program

8. New Business:

- Substitute siding materials

9. Adjournment:

SHEPHERDSTOWN HISTORIC LANDMARKS COMMISSION

Monday, March 2, 2026

6:00 p.m.,

TOWN HALL

104 NORTH KING STREET

In attendance: Commissioner Chair Keith Alexander (KA), Tom Mayes (TM), Ashley Reynolds (AR), Rebecca Bicker (RB), Cheryl Brown (CB),

In absentia: None noted.

In audience: Judith Shepherd (JS), David Abruzzi (DA), Jim Auxer (JA), Jim King (JK), Karl Musser (KM), Hunter Wetzell (HW), Robin McGroarty (RM), James Gatz (JG)

1. **Call to Order:** KA called the meeting to order at 6:00 p.m., made introductions of commissioners and support staff, and explained Roberts Rules Simplified.
2. **Approval of Minutes:** KA noted that application 25-42 previously submitted work under a workshop, not as a formal permit application. RB motioned to change minutes to reflect this. AR seconded. All in favor. None opposed. Minutes approved as amended.
3. **Visitors:**
4. **Conflicts of Interest:** None noted.
5. **Applications**

26-03-104 N. King Street

Tree well replacement and small landscaping improvements adjacent to Town Hall. Includes a low, arcing, loose-laid stone wall, 8 feet in length.

- RM, Tree Commissioner, reviewed plan for tree well. KA asked if limestone would be used as material. RM confirmed. TM moved to approve under the condition that native limestone is used, in accordance with Guidelines on PG 68 “Retaining Walls” Section C. AR seconded. All in favor. None opposed. Passed.

26-04-106 W. German Street

Sign Permit Application – business sign for Eclectic for the space formerly occupied by Evolve.

- JS reviewed plans for wooden sign. KA asked how the sign would be attached to building. JS said that the sign would be attached to brackets and a plain black bar. RB moved to approve sign, in accordance with Guidelines on PG 63 “Lighting, Signage & Fire Escapes,” Sections A-C. AR seconded. All in favor. None opposed. Passed.

6. **Workshop Sessions:** None.

7. Ongoing Business

- Update and feedback on Mills Group materials—KA updated commissioners on the extended deadline at the end of April. He noted that new map drafts from Mills Group reflect HLC feedback, but that commissioners are welcome to add further recommendations.
- CLG Update—KA informed commission that CLG status was approved. He noted that SHPO representative Claire Tryon expressed concern about projects not approved by HLC and suggested that more effort is taken by commission to make sure all district projects submit permit applications. Tryon also noted that the HLC did not submit a report on activities for 2022 and 2023.
- Town Grants for facades and sidewalks— KM reminded commission that the town is accepting feedback. KA requested a deadline. KM asked that all feedback be sent directly to him in the next week (by Monday, March 9). TM asked if the recipients of the town grant would be required to display a sign saying they were an award recipient. KM confirmed that was the case.

8. New Business

- Historic plaque program— AR proposed that a plaque program be installed through the town. She proposed that homeowners submit deed chains to receive a plaque certifying the age of their building, or that the HLC provide that research on request. CB asked if the town would supply plaques on request. AR said this was feasible, but that the town would have to agree on plaque design and find a way to store them. TM approves of idea and asks if local artisans could take precedence, perhaps through a competition. AR and KA agreed that the project would ideally support local artisans. AR said that she would draft a page for applications and the competition for a contract, to review next meeting.
- Library sign— KA read his communications with Christy Hagerty, Director of the Shepherdstown Public Library. She said that the material of the previous sign was MDF and that the sign likely was less than 10 years old. KA expressed that the age of the sign means that the HLC does not need to request it be reinstalled.

KA noted that the current sign is not appropriate in materials or in how it is attached to the building. KA and TM confirmed that the current sign was approved by Planning Commission, but not the HLC. KA asked JG what the town would prefer, in order to make the sign appropriate. JG asked for HLC preference. KA suggested replacing the sign with appropriate materials and method of attachment. TM agreed. KA proposed submitting a resolution for the town, or suggested that he attend the next Town Council meeting. JG asked that KA submit a resolution or letter. TM moved for a resolution to recommend to the town council that the sign for the Visitor's Center at the Old Market Hall which under our ordinance should have been approved by the

HLC but which did not receive the approval of the HLC be replaced with a sign that is appropriate under the HLC Guidelines, including the manner in which it is attached to the building and the appropriate materials of the sign. AR seconded. CB asked that it be a recommendation, rather than a resolution. JG accepted. All in favor. None opposed.

KA said that he would attend the April Town Council meeting. JG asked what the town should have prepared. KA suggested the town create a design proposal.

- Bollards— KA noted that SOI Standards recommend that bollards be installed that are “as unobtrusive as possible” and avoid installing bollards “without taking into consideration and visibility so that they negatively impact the historic character of the site.” KA asked if the HLC should submit a proposal to change the bollards to an appropriate design. JG asked that the HLC acknowledge the importance of bollards, to suggest specific designs that would be visually appropriate, and to keep in mind that this suggestion would set precedent for future installations. RB noted that installed bollards should prioritize sturdiness for health and life safety. KA agreed and suggested that the HLC prioritize both historic character and health and life safety. TM moved that the HLC recommend to the Town Council that the existing bollards on German Street be replaced with bollards consistent with SOI Standards, and that the HLC will work collaboratively with the town to determine an appropriate design that meets the performance requirements of the town, that are appropriate replacements, and that future bollards meet this requirement. RB seconded. All in favor. None opposed. Passed.

KA said he would present this at the April Town Council meeting.

- Title IX Revisions— KA noted that Title IX requires that signs and fences come before the HLC for approval, which is not currently reflected in Design Guidelines.

KA noted that the Planning Commission is revising guidelines for Planned Unit Developments (PUDs). KA suggested that the HLC discuss whether PUDs fall under HLC purview. JG said that the ordinances are being codified beyond Title IX. JG said that a contracted company is reorganizing ordinances and may suggest changes based on the ordinance applicability and conflict between ordinances. JG said that zoning categories, including PUDs, are some of the first issues being reviewed. He noted that the consultant recommended the HLC be involved in these discussions as they progress. KA asked that HLC be involved in all discussions related to Title IX changes. TM asked if, during Title IX changes, the “Demolition by Neglect” provision be updated. JG confirmed this was a planned change. AR noted that current provisions exempt state-funded properties from Certificate of Appropriateness requirements. DA emphasized that this is limited to state-owned properties.

JK recommended that the town take special care that local ordinances also reflect state laws, with no conflicts. JG confirmed that was the intention behind the recodification.

- David Abruzzi— DA introduced himself as the newest board member for the Preservation Alliance for West Virginia. He expressed strong approval for the Shepherdstown HLC's actions so far. He clarified the role of PAWV for the state, the organization's composition, and its priorities. He noted that the PAWV Annual Conference will be held locally, at Berkeley Springs from May 12-14.

9. **Adjournment:** MSA unan. To adjourn at 7:20 p.m.

Corporation of Shepherdstown

Staff Input Form

For the Historic Landmarks and Planning Commissions

1. Applicant Name and Number: 26-07
2. Project Address: 101 North Browns Alley
3. Project Description: Installation of a 64 sq. ft. wooden storage shed on an existing concrete slab on corner of lot.
4. Issues Identified: Lot faces alley making setback requirements open to interpretation.
5. Recommended Action: Staff has determined that the proposal does not meet the Section 9-508 setback requirements, however meeting those requirements would be impossible on this property and the applicant has come as close as possible to meeting the requirements considering the size and shape of their parcel. Staff recommends granting an exception and approving the applicant's proposal.
6. HLC Analysis:
7. Staff Analysis: Project is located on a residential lot in the historic district facing Browns Alley. The primary residence is a non-contributing structure (built in 1991) as are the immediately adjacent properties. The proposed shed location is near the corner of Browns Alley and Newton Alley to the side of the primary residence and on a pre-existing concrete slab. Relevant ordinances include:

Section 9-209 requires a 10 foot arc of clear visibility at all intersections measured from the edge of the street. While the proposed location is close to the corner it is clear of this 10 foot requirement.

Section 9-508 setback requirements are based upon there being a clear front to the lot which is not the case here. I believe the most intuitive interpretation to be that the front yard is the yard facing the front of the house along Browns Alley in which case the required setbacks are:

front = no closer than existing structures, both the pre-existing pad and the front porch and stairs/railing of the primary residence count as structures so the proposed site meets this requirement

rear = 40 feet from rear lot line, the proposed site would be 36 feet from the rear line so does not meet this requirement. Note that the entire lot is only 51 feet deep and so

meeting both the front and rear setback requirements would be impossible.
side = 12 feet, but only needed on one side of the property and so is met by the other side.



An alternative interpretation would count German St. rather than Browns Alley as the front line, which would require the 40' rear setback to be measured from Newton Alley and render the proposed site and pre-existing pad unusable, but the rest of the yard that is more than 40 feet from Newton would become an eligible building location.

Section 9-208 also restricts the placement of accessory buildings and might apply depending on interpretation. I am considering the proposed site to be the side yard rather than rear yard and the definition of street in our ordinance specifically excludes alleys, so this is not considered a corner lot, making this section not applicable.

Staff also noted that adjacent properties are in a similar situation and that both 100 and 105 N. Browns Alley have sheds that do not meet the setback requirements.

8. To Be Reviewed By Historic Landmarks Commission

Planning Commission

Completed By: Karl Musser

Date: 4/2/2026

Approved By: _____

Date: _____



Application Number 28-07

Application for Certificate of Appropriateness & Project Permit

Corporation of Shepherdstown, West Virginia

Should you have any questions regarding this application, please contact:
Andy Beall (Phone 304-876-6858, E-Mail abeall@shepherdstown.us)

PLEASE PRINT OR TYPE CLEARLY

Applicant's Name: SUSAN BERRY
(Must be Property Owner)

Mailing Address: P.O. BOX 1291
SHEPHERDSTOWN WV 25443

Day Time Telephone Number: (304) 433-9760

E-Mail Address: SMBERRY610@GMAIL.COM

Street Address of Proposed Work: 101 N BROWNS ALLEY

Lot Number/Legal Description: _____
(If no address exists)

Current Zoning: R1 Current Land Use: RES

Note: See zoning maps at Town Hall for correct zoning classification

Description of Work: WOOD STORAGE SHED AT REAR LOT

Cost Estimate: 2,000 Project Category (Descriptions on Next Page): 1

Contractor performing work: LOWE'S INSTALLATION

Contractor's Business License #: _____

A copy of the contractor's Shepherdstown business license or license application **MUST** be attached. The applicant is responsible for making sure all contractors working on this project have a Shepherdstown business license (which can be applied for at town hall). Work started without a business license could result in a stop work order on the project.



Application Number 248 - 07

Application for Project Permit
(Checklist of Required Information for Applications)

Provide information required for appropriate category of work. Staff will ensure completion of checklist material prior to applications' inclusion on meeting agenda.

Category I- Minor Projects such as awnings, porch railings, window boxes, satellite dishes, solar panels, signs, fences, non-permanent storage sheds and other minor changes.

PHOTOGRAPHS OR DRAWN ELEVATION VIEWS OF THE PROPOSED WORK SITES (clearly labeled), at reasonable scales, of the parts of the structure to be altered (again, clearly labeled in terms of which side of the structure, etc.) are needed.

MATERIAL AND COLOR SAMPLES for exterior finishes

Category II- Driveways, decks, carports, porch enclosures and window, roof or siding replacement.

Category III- New construction of and/or additions to residential, commercial, and industrial structures.

Category IV- Demolition or Relocation of a Structure

(Categories II and III):

SITE PLAN is required at common engineering (1" = 10' or 1" = 20', etc.) or architectural scales (1/4" = 1' or 1/8" = 1'). Specifically, these drawings shall include: North point, scale, date, property boundaries (lot lines), existing trees and/or significant planting (if work will disturb surroundings), street & parking lighting. (SAMPLE ATTACHED)

Gross & net land area of property

Setback from property boundaries

Existing & proposed topography (only if regrading of the property is required)

Existing & proposed accessory structures.

Existing & proposed street right-of-way & entrance

Sidewalk, handicap access, Category IV only

MATERIAL AND COLOR SAMPLES for exterior finishes

ELEVATIONS, drawings indicating height of proposed structures, materials, and window and door arrangements

ZONING INFORMATION shall be defined in the application as required:

Dwelling density- net (residential application only)

Flood plain designation if any (mapping available in Town Hall)

Cost estimates and property appraisals for applications seeking exemptions from Chapter 12- Floodplain provisions

Category IV- Demolitions:

Historic designation of structures to be demolished (documents available in Town Hall)

Complete description of structure(s) or part(s) of structure(s) to be demolished.

At least one (1) structural report by a certified structural engineer. Applies to demolition requests for structures fifty (50) years or older.



Application Number 28 - 07

Checklist of Required Information for Applications Continued

All Categories:

_____ Copy of general contractor's Shepherdstown business license or license application.

Section 9-905 Remedies and penalties

The owner or agent of a building or premises in or upon which a violation of any provision of the Planning and Zoning Title has been committed or shall exist, or the leasee or tenant of an entire building or entire premise in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred (100) dollars. Each and every day that such violation continues may constitute a separate offense.

Please read the following paragraph carefully and sign.

Attach documents specified in the checklist on the back of this application. I hereby certify that all information herein provided is true and accurate. I hereby authorize the inspection of the above premises by authorized agents of the Shepherdstown Planning Commission at any reasonable time in order to determine compliance with the Commission's approval. I understand that my presence at the assigned application review meeting is required. Application must be signed by owner or his/her agent.

Date: 3-16-24

Owner's Signature: Susan Berry

Print Name: SUSAN BERRY

Fees shall be paid to the Town Treasurer/Clerk and must accompany the application. If work begins without the required permit, double the cost of said permit will be applied.

Zoning Officer Comments:

Fee Paid
Date Paid
PAID
MAR 16 2026
\$45.00
#647 - 20



Application Number 26 - 07

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Section 9-902 of Chapter 8 paragraph XIV be amended as follows:

Please check all boxes that may apply (Application Fees Due Upon Submittal):

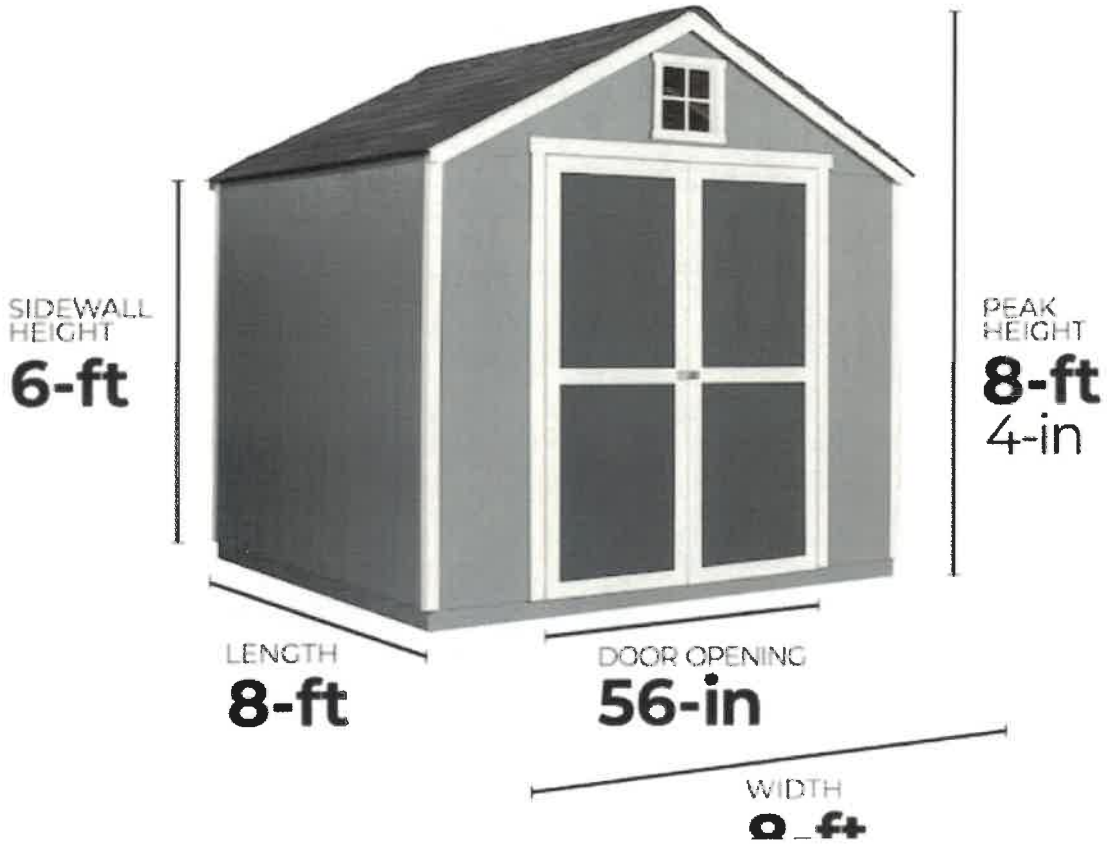
<input checked="" type="checkbox"/>	<p>Category I:</p> <p>Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters & downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions.</p> <p style="text-align: right;">\$50.00</p>
	<p>Category II:</p> <p>Window replacement, roof replacement, siding replacement, porch enclosure, driveways, carports, and decks.</p> <p style="text-align: right;">\$100.00</p>
	<p>Category III:</p> <p>New construction of and/or additions to residential, commercial, and industrial structures.</p> <p style="text-align: right;">\$300 + \$0.50 per sq. ft.</p> <p>New construction of garages & other accessory buildings (permanently attached to the ground).</p> <p style="text-align: right;">\$50 + \$0.10 per sq. ft.</p>
	<p>Category IV:</p> <p>Demolition or Relocation of a Structure: Removal of any building feature(s) or razing of any structure(s) or relocation of a structure to new location. For either project, the applicant must submit the following in writing (in addition to an application):</p> <ol style="list-style-type: none"> 1. Reason for the demolition/relocation (including historic documentation). 2. Describe the structure's condition in detail. 3. Describe the proposed reuse of the site, including full drawings of new structure & landscaping. 4. Evidence of relevant funding or financial concerns, 5. Timeframe for project <p>\$50.00 Accessory Buildings \$150.00 Non-Contributing Structures (< 50 years old) \$500.00 Contributing Structures (≥ 50 years old)</p>
<p>Certificate of Appropriateness Advertisement Fee: \$15</p>	

Shed Location & Sample Photo



Shed Location & Sample Photo

64 SQ. FT. OF SPACE





Corporation of Shepherdstown

Staff Input Form

For the Historic Landmarks and Planning Commissions

1. Applicant Name and Number: 26-08
2. Project Address: 314 West German Street
3. Project Description: Replace railings and add stairs to side deck.
4. Issues Identified: None
5. Recommended Action: Staff recommends approval based on the applicant's proposal.
6. HLC Analysis:
7. Staff Analysis: Property is zoned Residential and is located within the historic district. The existing deck and railing are wood, and the replacement railing and new stairs would match the existing deck in both materials and color. Section 9-508 requires a side yard setback of 12 feet which this meets, the side lot line is approximately 25 ft. from the house. Proposal does not significantly impact the percentage of the parcel that is green space.
8. To Be Reviewed By Historic Landmarks Commission
 Planning Commission

Completed By: Karl Musser

Date: 4/2/2026

Approved By: _____

Date: _____



Application Number _____

Application for Certificate of Appropriateness & Project Permit

Corporation of Shepherdstown, West Virginia

Should you have any questions regarding this application, please contact:
Andy Beall (Phone 304-876-6858, E-Mail abeall@shepherdstown.us)

PLEASE PRINT OR TYPE CLEARLY

Applicant's Name: Christopher & Elana Helmick
(Must be Property Owner)

Mailing Address: PO Box 844, Shepherdstown, WV 25443

Day Time Telephone Number: (304) 995-2744

E-Mail Address: eswinfrey@gmail.com

Street Address of Proposed Work: 314 W. Sherman

Lot Number/Legal Description: n/a
(If no address exists)

Current Zoning: R1 Current Land Use: residential
Note: See zoning maps at Town Hall for correct zoning classification

Description of Work: Replace deck railings & add stairs

Cost Estimate: _____ Project Category (Descriptions on Next Page): I

Contractor performing work: Self

Contractor's Business License #: _____

A copy of the contractor's Shepherdstown business license or license application MUST be attached. The applicant is responsible for making sure all contractors working on this project have a Shepherdstown business license (which can be applied for at town hall). Work started without a business license could result in a stop work order on the project.



Application Number _____ - _____

Application for Project Permit
(Checklist of Required Information for Applications)

Provide information required for appropriate category of work. Staff will ensure completion of checklist material prior to applications' inclusion on meeting agenda.

Category I- Minor Projects such as awnings, porch railings, window boxes, satellite dishes, solar panels, signs, fences, non-permanent storage sheds and other minor changes.

_____ **PHOTOGRAPHS OR DRAWN ELEVATION VIEWS OF THE PROPOSED WORK SITES** (clearly labeled), at reasonable scales, of the parts of the structure to be altered (again, clearly labeled in terms of which side of the structure, etc.) are needed.

_____ **MATERIAL AND COLOR SAMPLES** for exterior finishes

Category II- Driveways, decks, carports, porch enclosures and window, roof or siding replacement.

Category III- New construction of and/or additions to residential, commercial, and industrial structures.

Category IV- Demolition or Relocation of a Structure

(Categories II and III):

_____ **SITE PLAN** is required at common engineering (1" = 10' or 1" = 20', etc.) or architectural scales (1/4" = 1' or 1/8" = 1'). Specifically, these drawings shall include: North point, scale, date, property boundaries (lot lines), existing trees and/or significant planting (if work will disturb surroundings), street & parking lighting. (SAMPLE ATTACHED)

_____ Gross & net land area of property

_____ Setback from property boundaries

_____ Existing & proposed topography (only if regrading of the property is required)

_____ Existing & proposed accessory structures.

_____ Existing & proposed street right-of-way & entrance

_____ Sidewalk, handicap access, Category IV only

_____ **MATERIAL AND COLOR SAMPLES** for exterior finishes

_____ **ELEVATIONS**, drawings indicating height of proposed structures, materials, and window and door arrangements

_____ **ZONING INFORMATION** shall be defined in the application as required:

_____ Dwelling density- net (residential application only)

_____ Flood plain designation if any (mapping available in Town Hall)

_____ Cost estimates and property appraisals for applications seeking exemptions from Chapter 12- Floodplain provisions

Category IV- Demolitions:

_____ Historic designation of structures to be demolished (documents available in Town Hall)

_____ Complete description of structure(s) or part(s) of structure(s) to be demolished.

_____ At least one (1) structural report by a certified structural engineer. Applies to demolition requests for structures fifty (50) years or older.



Application Number _____

Checklist of Required Information for Applications Continued

All Categories:

n/a Copy of general contractor's Shepherdstown business license or license application.

Section 9-905 Remedies and penalties

The owner or agent of a building or premises in or upon which a violation of any provision of the Planning and Zoning Title has been committed or shall exist, or the leasee or tenant of an entire building or entire premise in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred (100) dollars. Each and every day that such violation continues may constitute a separate offense.

Please read the following paragraph carefully and sign.

Attach documents specified in the checklist on the back of this application. I hereby certify that all information herein provided is true and accurate. I hereby authorize the inspection of the above premises by authorized agents of the Shepherdstown Planning Commission at any reasonable time in order to determine compliance with the Commission's approval. I understand that my presence at the assigned application review meeting is required. Application must be signed by owner or his/her agent.

Date: 3/16/26

Owner's Signature:

Print Name: Ebonée Helmick

Fees shall be paid to the Town Treasurer/Clerk and must accompany the application. If work begins without the required permit, double the cost of said permit will be applied.

Zoning Officer Comments:

Fee Paid _____
Date Paid _____



Application Number _____ - _____

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Section 9-902 of Chapter 8 paragraph XIV be amended as follows:

Please check all boxes that may apply (Application Fees Due Upon Submittal):

✓	<p>Category I:</p> <p>Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters & downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions.</p> <p style="text-align: right;">\$50.00</p>
	<p>Category II:</p> <p>Window replacement, roof replacement, siding replacement, porch enclosure, driveways, carports, and decks.</p> <p style="text-align: right;">\$100.00</p>
	<p>Category III:</p> <p>New construction of and/or additions to residential, commercial, and industrial structures.</p> <p style="text-align: right;">\$300 + \$0.50 per sq. ft.</p> <p>New construction of garages & other accessory buildings (permanently attached to the ground).</p> <p style="text-align: right;">\$50 + \$0.10 per sq. ft.</p>
	<p>Category IV:</p> <p>Demolition or Relocation of a Structure: Removal of any building feature(s) or razing of any structure(s) or relocation of a structure to new location. For either project, the applicant must submit the following in writing (in addition to an application):</p> <ol style="list-style-type: none"> 1. Reason for the demolition/relocation (including historic documentation). 2. Describe the structure's condition in detail. 3. Describe the proposed reuse of the site, including full drawings of new structure & landscaping. 4. Evidence of relevant funding or financial concerns. 5. Timeframe for project <p>\$50.00 Accessory Buildings \$150.00 Non-Contributing Structures (< 50 years old) \$500.00 Contributing Structures (≥ 50 years old)</p>
<p>Certificate of Appropriateness Advertisement Fee: \$15</p>	

314 W. German- Sample Materials

Current Materials: Wood- Painted Black



314 W. German- Sample Materials

Sample Proposed Steps & Railings-

- Material - Wood (Pressure Treated)
- Railings & Posts will be painted black to match existing railings (pictured above). Steps will remain wood tone to match decking materials.



(Sample Image)

Corporation of Shepherdstown

Staff Input Form

For the Historic Landmarks and Planning Commissions

1. Applicant Name and Number: 26-09
2. Project Address: 200 East High Street Blue Moon Café
3. Project Description: Installation of temporary/seasonal pergola (wood, cedar) covered 392 sq. ft. outdoor seating area in a portion of the existing parking area. It would include a low (3 ft) fence to define the area. Pergola and fencing would be removable.
4. Issues Identified: Removal of parking spaces
5. Recommended Action: Staff recommends denial based on the reduction of parking in the applicant's proposal.
6. HLC Analysis:
7. Staff Analysis: Property is a commercial use within the R-1 Residential zone and is located within the historic district. The proposed pergola would cover a temporary outdoor seating area taking up 2 of the existing parking spaces in front of the cafe. The blocking of parking spaces appears to violate Section 9-207 which requires commercial uses to provide the following off-street parking: "one (1) space for each three hundred (300) square feet of floor area and one (1) space for each two (2) employees." Currently there are 8 parking spaces provided, of which 6 would remain while the pergola was in place. Section 09-207 also provides that "Existing buildings not complying with off-street parking requirements may be remodeled, repaired or structurally altered, but any enlargement must provide the required parking spaces for said enlargement." That Section would require the proposed expansion of the customer area to provide an additional parking space, not remove any. The proposed structure meets the same setbacks as the existing building. The structure would add 392 sq. ft. to the existing 2,615 sq ft. of structures on the parcel, and since the proposed location is already paved it would not impact the percentage of the parcel that is green space, meeting Section 9-508 setback and green space requirements. The fencing is below 4 ft., meeting Section 9-803 fence requirements.
7. To Be Reviewed By Historic Landmarks Commission

X Planning Commission

Completed By: Karl Musser

Date: 4/2/2026

Approved By: _____

Date: _____



Application Number 26-09

Application for Certificate of Appropriateness & Project Permit

Corporation of Shepherdstown, West Virginia

104 N. King St. P.O. Box 248 (for mailing)
Shepherdstown, WV 25443

This application combines the Certificate of Appropriateness and Project Permit applications and is required for projects within the corporate limits of Shepherdstown and the Shepherdstown Historic District ([map](#)), that involve modifications to structural square footage. Examples include decks, porches, driveways, carports, accessory structures, and new construction of and/or additions. A review of the application shall be approved or rejected by the Historic Landmarks Commission (HLC) (Reference Title 9, Section-309) and once a Certificate of Appropriateness is approved it will be forwarded to the Planning Commission for their review for the issuance of a Project Permit (Reference Title 9, Section-902). If approved, the Project Permit is valid for one year from the date of issuance.

PLEASE PRINT OR TYPE CLEARLY

Applicant's Name: Gregory King
(Must be Property Owner)

Mailing Address:

PO Box 135
Shepherdstown, WV 25443

Day Time Telephone Number:

304-876-1920 or 304-676-9658 (Gm) (Tabitha) (Don)

E-Mail Address:

bluemooncafe@citlink.net

Street Address of Proposed Work:

200 E. High St Shepherdstown, WV 25443

Lot Number/Legal Description:
(If no address exists)

Blue moon Cafe

Current Zoning:

Current Land Use:

Note: See [zoning map](#) for correct zoning classification

Description of Work:

Installing 2 pergolas to have outdoor seating, also having curbing around pergola structures along with plants + flowers. Everything is temporary not in permanent structure.

Please reference [Title 9](#) of Town Ordinance for specifics.
Please contact Karl Musser, Planning & Zoning, with any questions.
(304) 702-2305 • kmusser@shepherdstown.us



Application Number 20-09

Category IV Demolitions or Relocation of a Structure

- Historic designation of structures to be demolished (documents available in Town Hall)
- Complete description of structure(s) or part(s) of structure(s) to be demolished.
- At least one (1) structural report by a certified structural engineer. Applies to demolition requests for structures fifty (50) years or older.
- For relocations, sidewalk and handicap access

Remedies and penalties

The owner or agent of a building or premises in or upon which a violation of any provision of the Planning and Zoning Title has been committed or shall exist, or the leasee or tenant of an entire building or entire premise in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred (100) dollars. Each and every day that such violation continues may constitute a separate offense. (Reference Title 9, Section-905)

Please read the following paragraph carefully and sign.

Attach documents specified in the checklist of this application. I hereby certify that all information herein provided is true and accurate. I hereby authorize the inspection of the above premises by authorized agents of the Shepherdstown Planning Commission at any reasonable time in order to determine compliance with the Commission's approval. I understand that my presence at the assigned application review meeting is required. Application must be signed by owner or his/her agent.

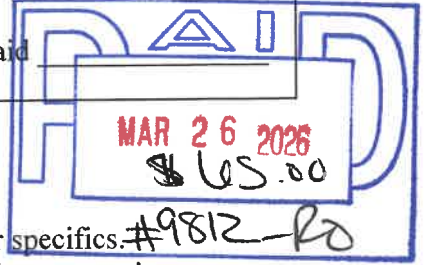
Date: MARCH 26 2026

Owner's Signature: Gregory J. King

Print Name: GREGORY J. KING

Zoning Officer Comments:

Fee Paid _____
Date Paid _____



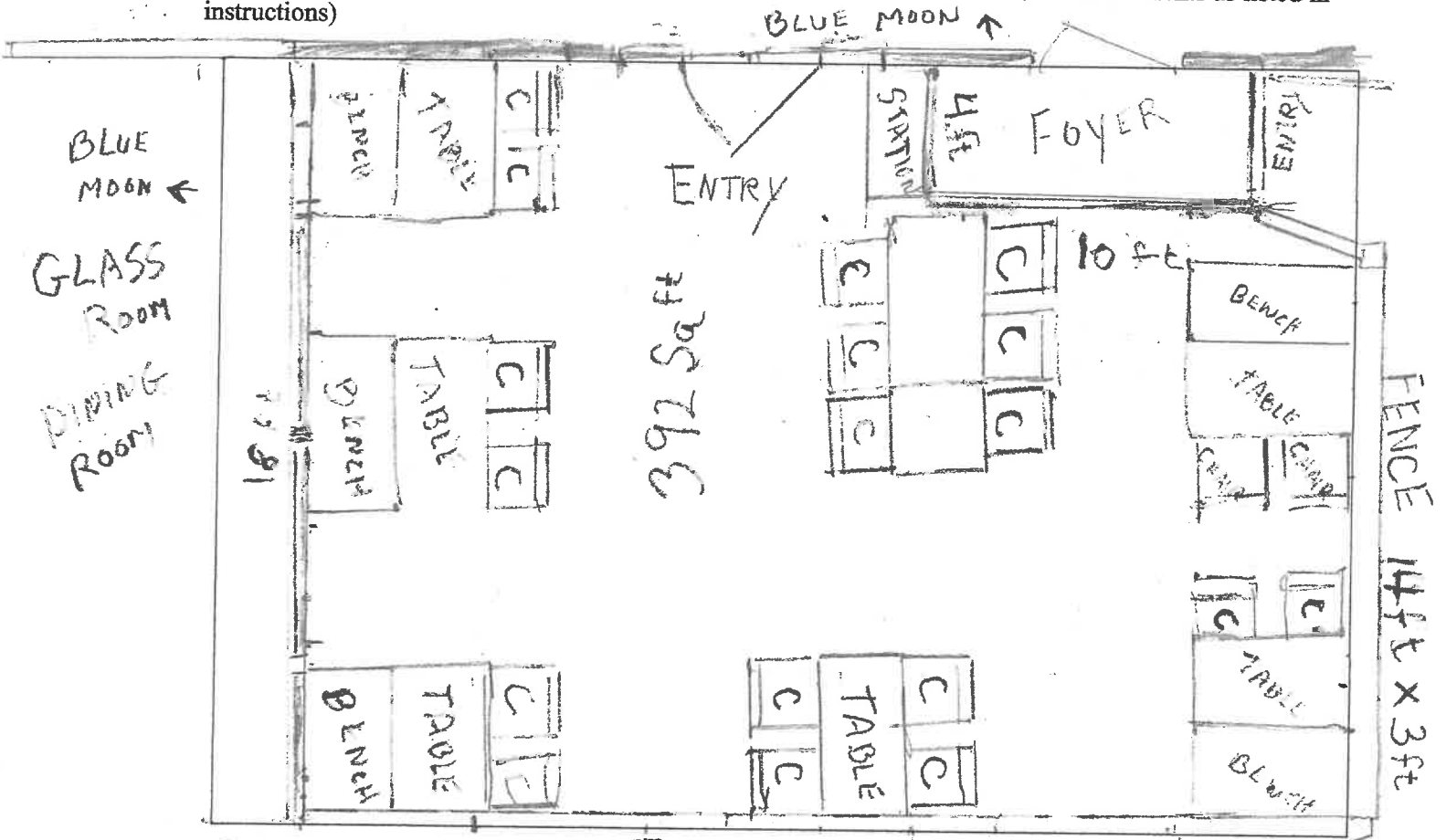
Please reference [Title 9](#) of Town Ordinance for specifics. #9812-PO
Please contact Karl Musser, Planning & Zoning, with any questions.
(304) 702-2305 • kmusser@shepherdstown.us

- (5) Provide a menu or description of the freshly prepared food items to be served in the outdoor dining or street dining area. Please include the menu in paper format.
- (6) Provide proof of authorization from municipal government or county commission. Please attach this documentation with this form for approval. Must list the beginning and ending dates.

Must illustrate the exact area and measurements of the dining area for the "Private Outdoor dining/Private Outdoor street dining" in relation to the currently licensed establishment. The area must be in "close proximity" (within 300 feet) and a bound area, such as a parking lot or other outdoor area, which shall, for the temporary period, encompass the licensee's licensed premises. Licensee must have a clear line of sight from the licensed premises to any outdoor dining or outdoor street dining area.

Keep one copy at the licensed premises.
(instructions)

(Provide Dimensions and all Measurements as listed in instructions)



Gregory King (print) have received and read the requirements and attest to the fact that all preceding information is true and accurate and that all individuals and/or controlling members listed on the license are aware of the submission of an Outdoor Dining Area/Outdoor Street Dining area license application.

Licensee's Signature: Gregory J. King
 Title: owner

Date: March 26, 2026

Current picture





Hey everyone,

I wanted to provide a bit of background on the substitute materials discussion for Monday specifically as it relates to siding. In our guidelines page 36 we cover wood siding as follows:

SIDING AND SHINGLES

- A** Wood siding that is original to a building should be repaired rather than replaced. However, if replacement is necessary, the siding should be replaced with new siding to match the original siding in material, size, placement and design. Replacement shingles should likewise match the original shingles in material, size, placement, and design.
- B** Wood siding original to a building should not be concealed beneath synthetic materials such as vinyl, masonite or aluminum. Similarly, it should not be concealed beneath wood based materials such as particle board, gyp-board or press board as such materials generally do not offer textures or designs that closely match original wood siding. Fiber cement siding may provide an acceptable alternative to original wood siding on parts of the structure not in the public view.
- C** Synthetic sidings such as aluminum, asbestos or vinyl should be removed from wood siding, and the wood siding repaired to original appearance, caulked and painted. If the ghosts or outlines of decorative missing features are revealed by the removal of the synthetic siding, the missing features should be replicated, re-installed, or recorded through photographs or drawings for future replication.
- D** For weather protection, insulation may be added so long as the installation does not alter or damage the siding. Insulating without an appropriate vapor barrier may do long term damage to the structure and is discouraged.
- E** Asbestos shingles or siding original to a building should be kept stained or painted. If asbestos shingle siding has deteriorated or otherwise poses a health hazard, it may be removed and replaced with traditional wood or other permitted siding. The applicant is encouraged to follow applicable state and federal hazardous material guidelines for removal of any siding, which may contain hazardous materials (esp. asbestos or lead paint).
- F** As new siding technologies become available, they may be considered for any of the above.

While there is some room for interpretation here, I do know from doing a workshop prior to joining the HLC that the preference is to replace wood siding with wood siding. I do understand the rationale for the aesthetic appeal and have endeavored to achieve this on my house (currently aluminum over deteriorated cedar siding), but have encountered some obstacles.

The issues I myself have run into, and that I imagine any Shepherdstown homeowners contemplating replacing their wood siding are finding, are:

1. TRUE IN-KIND CEDAR WOOD DOESN'T EXIST: Both the contractors that I obtained quotes from for cedar siding noted that it will likely have a maximum life of 15 years due to the young growth age of the wood (I am no carpenter, but essentially their message was that the younger wood has more of a tendency to 'wick' moisture into

it because it has loose growth rings compared to its historic old-growth wood with tight growth rings).

- a. Preservation Brief 16 (2023) on substitute materials <https://www.nps.gov/orgs/1739/upload/preservation-brief-16-substitute-materials-2023.pdf> supports this consideration that today's wood quality is no longer equitable stating,

- i. "Today's available commercial supplies of lumber no longer provide the denser, more decay resistant wood of old-growth forests, so even careful matching to species, which is not always possible, will not yield a replacement equal in performance to the historic material. Old-growth wood is likely to be very expensive, if it can be found, and may not be available from a sustainable, environmentally responsible source. When features with severe exposure need to be replaced or reproduced, substitute materials that are less susceptible to decay can have a longer life, and when the feature is painted, as exterior wood features generally are, the visual effect of a substitute material can be minimal."



Figure 6. The dramatic difference in the number of growth rings between old-growth wood and wood that was recently harvested from second- or third-growth forests is indicative of the diminished dimensional stability and durability of most lumber currently available. Photo: Zachary Dettmore.

- ii.

2. COST/AVAILABILITY OF PROFESSIONALS: The cost to have cedar siding (not old growth sadly, neither contractor knew of any options for an entire house of old growth siding) installed is about 3x that of a composite material like Hardie

- a. Quotes from historic contractors (2 obtained: Jim Schmitt and Mark Rakes) for installation, no painting, of cedar hovered right around \$138,000.

- i. On top of the cost, these historic contractors that will install cedar siding are currently booked out 12+ months.

- b. Quotes from siding contractors for Hardie range from about \$48,000-\$53,000

c. While cost is not everything, I am certainly not too proud to admit that the additional \$100,000 cost of cedar would be a huge burden on me as my project is already quite large/costly. I think the difference in cost is due to two different factors:

i. Historical contractors are in higher demand and charge higher rates to install something considered specialized like cedar siding

ii. The actual materials costs for Hardie is less than that of select cedar

In practice both the WV SHPO and the National Trust for Historic Preservation support the use of (smooth finish – stated requirement of WV SHPO) plank Hardie as an acceptable substitute material for wood siding. NTHP article

here: <https://savingplaces.org/stories/jamies-hardie-flexible-approach-building-exteriors>

All this to say that I would like to propose that the HLC consider Hardie as a substitute siding material to wood moving forward. I will bring printouts of the above on Monday for us to review. Looking forward to discussing!

Best,

Ashley Reynolds