



## **VIRGINIA DEPARTMENT OF HISTORIC RESOURCES**

### **Historic Preservation Easement Program**

#### ***POLICY #3***

#### ***Stewardship and Monitoring of Easement Properties***

Once an easement is recorded, the Department, on behalf of the Board, and the property owner have agreed to the shared obligation of stewarding the historic property in perpetuity. These stewardship responsibilities focus primarily on the maintenance, protection, and preservation of each property's unique character-defining features and conservation values cited in the deed of easement and baseline documentation report.

The Department's efforts in upholding these stewardship responsibilities are two-fold. First, the Department seeks to foster positive working relationships with individual easement property owners through a program of on-going communication, outreach, and education. Second, the Department will ensure compliance with individual easement terms by conducting regular monitoring visits for each protected property.

#### ***Communication and Outreach***

It is the goal of the Department to maintain regular contact and foster productive working relationships with easement property owners. This contact may be in the form of newsletters, workshops, site visits, or other correspondence to facilitate the sharing of information between the Department and the property owner. The Department also provides technical assistance and information to property owners in order to support the appropriate stewardship of historic resources, as well as to promote an ongoing partnership.

#### ***Monitoring***

It is the goal of the Department to ensure compliance with individual easement terms and conditions by conducting regular, efficient monitoring visits for each protected property.

The monitoring process will include the following steps:

- In order to request a site visit, the Department will notify the property owner in writing by hard copy letter delivered via U.S. Postal Service or electronic mail in accordance with individual easement provisions or at least ten (10) days prior to the suggested inspection date. The Department's Easement Program staff will work to arrange a time and date for the visit that is convenient for the property owner.
- Using the Baseline Documentation Report as a reference document, during the visit to the property, Easement Program staff will closely inspect the condition of all structural

elements, character-defining features, natural resources, landscape features, and archaeological resources addressed by the easement, documenting visible signs of deterioration or elements that may require repair, remediation, or treatment. In the absence of baseline documentation, the staff person conducting the monitoring visit may use the Present Conditions Report on file as a reference document.

- All alterations to the property will be noted. These include, but are not limited to, new construction, removal of an existing structure, vegetation that may need attention, changes in land usage, new utility infrastructure, and ground disturbance or erosional issues. The process for initiating the Department's review process for proposed work on an easement property is outlined in Policy #5, Review of Applications for Work on Easement Properties.
- Easement Program staff will endeavor to document any previously undocumented or unknown resources on a given property.
- Photographs of the property should capture the resources protected by the easement, including: elevations and oblique views of the primary historic structure, oblique views of historic and non-historic associated outbuildings or other structures, interior spaces and elements within the primary historic building that are protected by the easement, any protected elements that exhibiting deterioration or may require maintenance, open space and property boundaries, landscape features, changes or alterations to the property (including land usage), ground disturbance, and archaeological resources.
- In consultation with the property owner, Easement Program staff will obtain the following information during each monitoring event: 1) any alterations to the property since the previous visit; 2) any changes or projects planned for the property in the near future; 3) recent public access to the property; 4) security features present on the property; and 5) presence of an insect pest extermination/monitoring/prevention plan, if applicable.
- A hard copy or digital copy of the completed Annual Stewardship Report will be provided to the property owner via U.S. Mail or electronic mail within thirty (30) days of the inspection. This report will summarize staff observations and conversations with the owner, establish necessary corrective actions for issues noted during the site visit, and recommend measures and best practices for on-going property maintenance.
- For Department recordkeeping, a hard copy of the Annual Stewardship Report will be placed within the easement property file. In addition, a digital copy of the document will be saved within the electronic property file maintained on the Department's computer servers. Easement Program staff will also update the appropriate VCRIS record for the property as appropriate.

Any violation or suspected violation of the terms of the easement identified during a monitoring visit will generally be addressed by the Department within seven (7) business days (see also Policy #7, Violations). This timeframe may vary depending on the nature of the information available to assess the violation or suspected violation. In cases where remedial work is needed, the Department will set timeframes for the owner to complete such work. Timeframes for additional monitoring during a violation will be established as necessary, but Easement Program staff will schedule a site visit at the close of the remediation or mitigation phase of the violation resolution process in order to insure all requested actions were adequately completed.

*[Adopted by the Virginia Board of Historic Resources on December 10, 2020]*