



**Minutes
December 9, 2021**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:15 p.m. on Thursday, December 9, 2021, at 217 South Main Street in the Council Chamber.

Present: Steve Cobb, Will James, Sue McHugh, Jon Planovsky, Andrew Walker, Acey Worthy

Absent: Gene Goetz, Marcelo Menza, Larry Richardson

Staff Present: Graham Corriher, City Attorney; Hannah Jacobson; Jenni Pfaff; Emily Vanek

Media: Natalie Anderson, Salisbury Post

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the Chairperson, Andrew Walker. Members introduced themselves.

PURPOSE AND PROCEDURE

The purpose and procedure of the meeting was presented by Chairperson, Andrew Walker.

**EX PARTE COMMUNICATION/
CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT**

None.

Emily Vanek was sworn in.

NEW CERTIFICATES OF APPROPRIATENESS

H-45-2021, 229 West Bank Street, Sherry and Steve Beck, Agents; Frank Labagnara and David Garling, Owners; (Parcel ID: 010 165)

Request

Lower existing rear deck, add roof and columns.

Identification of Property

Emily Vanek made a staff presentation. The house is a Greek Revival style, built in 1853. It is classified as “contributing” to the West Square Local Historic District. She displayed the history of Certificates of Appropriateness for the property.

Staff Findings

Staff finds the following elements of the project to be not incongruous with the character of the West Square Local Historic District:

- 1) The applicant has requested approval to install two full and two half wooden, square columns on the rear deck. The design of the capitals of the columns match the existing columns. The columns are consistent with the columns found on the back of the house.
- 2) A lift is proposed to be installed on the northern side of the deck. Standard 3.8.2 states that accessibility needs should be met without compromising the historic character of the building. The deck is a newer feature of the house, but the lift will be visible from South Jackson Street, as the house is on a corner lot.
- 3) The applicant has requested approval to install a roof above the rear deck. The roof will continue the slope of the existing roof and be finished with standing seam tin roofing material. The standing seam tin has been proposed to match the roofing material on the rear addition. Standard 5.4.8 states that new roofs should be consistent with the roof of the building and roofs in the district.

Staff Recommendations

Based on the preceding findings, staff recommends that the Commission approve H-45-2021 at the Murphy House located at 229 West Bank Street, within the West Square Local Historic District (Parcel ID: 010 165) subject to the following conditions:

- 1) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
- 2) Commission staff shall review and approve any revisions or deviations to any other portion of the as-submitted work that qualifies as a Minor Work, prior to commencement of that portion of the project.

Applicant Testimony

Steve Beck was sworn in.

Mr. Beck highlighted some of the changes from the last presentation:

- Continuation of the existing roof line will allow him to leave the upper deck at the existing level.
- Now closing the top in order to match the profile of the existing roofline.
- The lift is a new addition. It was requested by the homeowner to meet accessibility needs. It will be shielded from the street by landscaping.
- Homeowner has requested the railing be fashioned from metal instead of wood.

In response to questions from the Commissioners, Mr. Beck replied that all wood would be painted white, except for the decking which will remain the same; the gutters will match existing ones; steps will be wood, and the metal railing will wrap the upper deck.

Public Comment

None.

Deliberation

The Commission agreed that materials used and dimensions were acceptable.

Findings of Fact

Sue McHugh made the following MOTION, “I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #**H-45-2021**

1. That Steve Beck, agent for David Garling and Frank Labagnara, owners/applicants, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 229 West Bank Street and designated within the West Square Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein; additional evidence provided by the applicant is that the lift would be shielded from view from the road by landscaping.
3. The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action

Sue McHugh continued, “I, therefore, move based on the testimony presented, the adopted Findings of Fact and the adopted Historic District Design Standards that the Commission **approve H-45-2021** subject to the conditions detailed in the Findings of Fact.

Jon Planovsky seconded the MOTION with all members present VOTING AYE (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

**H-61-2021, 106-108 West Innes Street, Elizabeth Trick and Pete Bogle, Agents/Applicants;
Lloyd Nickerson/Sunburst Properties, Owner; (Parcel ID: 102 472)**

Request

Replace vinyl windows with metal windows.

Identification of Property

Emily Vanek made a staff presentation. The property is a commercial building in the Downtown Local Historic District. She displayed the history of Certificates of Appropriateness for the property.

Staff Findings:

Staff finds the following elements of the project to be not incongruous with the character of the Downtown Local Historic District:

- 1) The applicant has requested permission to replace three upper-story vinyl windows. The windows are proposed to be replaced with clad-wood double hung windows. These windows match National Register Nomination Form Description of the building, which says the windows were 1/1 sash. The applicant has proposed Hartford Green for the color of the windows, which is similar to the existing windows color.

Staff Recommendations:

Based on the preceding findings, staff recommends that the Commission approve H-61-2021 at the commercial building located at 106-108 West Innes Street, within the Downtown Local Historic District (Parcel ID: 102 472) subject to the following conditions:

- 1) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
- 2) Commission staff shall review and approve any revisions or deviations to any other portion of the as-submitted work that qualifies as a Minor Work, prior to commencement of that portion of the project.

Applicant Testimony:

Pete Bogle was sworn in.

Mr. Bogle commented that the request is a straightforward replacement with better quality windows. The same brand of windows are used in the Washington Building, which can be seen from this building. There were no questions from Commissioners.

Public Comment:

None.

Deliberation:

The Commission had no concerns.

Findings of Fact:

Sue McHugh made the following MOTION: “I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #**H-61-2021**

- 1) That Pete Bogle, agent for Sunburst Properties/Lloyd Nickerson, owner, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 106-108 West Innes Street and designated within the Downtown Local Historic District.
- 2) The proposed project is not incongruous as detailed in the application and staff finding number 1 and incorporated herein;
- 3) The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action:

Sue McHugh continued; “I, therefore, move based on the testimony presented, the adopted Findings of Fact and the adopted Historic District Design Standards that the Commission **approve H-61-2021** subject to the conditions detailed in the Findings of Fact.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

H-62-2021, 317-319 Bankett Station, 201 East Innes Street; Pete Bogle, Agent/Applicant, Downtown Properties, LLC, Owner; (Parcel ID: 010 431)

Request

Replace planned sidewalk with landscaping.

Identification of Property

Emily Vanek made a staff presentation. The building was built in 2021. It is classified as “non-contributing” to the Downtown Local Historic District. She displayed the history of Certificates of Appropriateness for the property.

Staff Findings:

Staff finds the following elements of the project to be not incongruous with the character of the Downtown Local Historic District:

- 1) The applicant has requested permission to replace a planned sidewalk with landscaping in the rear parking area. The applicant has stated that the sidewalk cannot be installed from site issues found while excavating the area. Though landscaping is typically regular maintenance and repair or a Minor Work, staff found the deletion of the sidewalk to be significant work that required Commission review and approval.

Staff Recommendations:

Based on the preceding findings, staff recommends that the Commission approve H-62-2021 at Bankett Station located at 201 East Innes Street, within the Downtown Local Historic District (Parcel ID: 010 431) subject to the following conditions:

- 1) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
- 2) Commission staff shall review and approve any revisions or deviations to any other portion of the as-submitted work that qualifies as a Minor Work, prior to commencement of that portion of the project.

Applicant Testimony:

Mr. Bogle mentioned additional reasoning behind the request:

- An adjacent building is situated on a slab that extends onto the Bankett Station property.
- In order to complete the sidewalk, they would have needed to get easements from the Firehouse Lofts, which were never received. Therefore, the sidewalk would not have been completed properly, so landscaping is the appropriate alternative.

In response to questions from Commissioners, Mr. Bogle replied that there is no need for ingress/egress from the back of the building since they are located on the front and side; landscaping will consist of stones, mulch; deletion of walkway will not affect the rebuild of the pink granite service station next door, the owner is currently looking for a project; information regarding the station rebuild would be the responsibility of the City.

Public Comment:

None.

Deliberation:

The Commission agreed that the sidewalk problem is an easement issue, and the applicant is suggesting a good solution.

Findings of Fact:

Sue McHugh made the following MOTION: "I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #**H-62-2021**

- 1) That Pete Bogle, agent for Downtown Properties, LLC, owner, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 201 East Innes Street and designated within the Downtown Local Historic District.

- 2) The proposed project is not incongruous as detailed in the application and staff finding number 1 and incorporated herein; no additional evidence or testimony was provided.
- 3) The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action:

Sue McHugh continued; “I, therefore, move based on the testimony presented, the adopted Findings of Fact and the adopted Historic District Design Standards that the Commission **approve H-62-2021** subject to the conditions detailed in the Findings of Fact.“

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

H-63-2021, 218 West Horah Street, Michael and Phyllis Ehart, Owners/Applicants; (Parcel ID: 010 172)

Request

Installation of pre-fabricated garage.

Identification of Property

Emily Vanek made a staff presentation. The house is a Colonial Revival style, built ca. 1890-1910. It is classified as “contributing” to the West Square Local Historic District. She displayed the history of Certificates of Appropriateness for the property.

Staff Findings:

Staff finds the following elements of the project to be not incongruous with the character of the West Square Local Historic District:

- 1) The applicants have requested approval to install a 14’ by 24’ prefabricated garage. The garage would be located in the rear yard at the end of the driveway where a garage was once located. The location of the garage meets Standard 3.6.7.
- 2) The former garage was a square, 20’ by 20’ building with a hipped roof. The 1922 Sanborn map shows a smaller, linear structure, showing the former garage was not an original structure to the property. Standard 3.6.4 states that if a historic garage is missing, then it should be rebuilt using accurate documentation. The proposed garage is more similar to

the footprint of the original garage than the most recent garage, but has a hipped roof similar to the most recent garage and the house.

- 3) The materials of the garage include cementitious siding, aluminum windows, 9-lite fiberglass door, asphalt shingles, and fiberglass garage door. Standard 5.3.1 states that materials that are similar to those commonly found in the district are appropriate for new construction. Standard 5.3.2 states that contemporary substitute materials that mimic historic materials may be used on a case-by-case basis. The 2001 rear addition has cementitious siding.

Staff Recommendations:

Based on the preceding findings, staff recommends that the Commission approve H-55-2021 at the house located at 218 West Horah Street, within the West Square Local Historic District (Parcel ID: 010 172) subject to the following conditions:

- 1) The garage shall be constructed of wooden siding, wooden windows, and have a wooden door;
- 2) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies, including but not limited to a zoning permit from Development Services;
- 3) Commission staff shall review and approve any revisions or deviations to any other portion of the as-submitted work that qualifies as a Minor Work, prior to commencement of that portion of the project.

Applicant Testimony:

Michael Ehart was sworn in.

Mr. Ehart commented that since the request was denied last month, he has returned with a new design that is more compatible to the standards. He found a new builder to construct a hipped roof and will use Hardie board for siding. The new building will be reduced in size to 24' length. He and his wife love the house and are restoring it on their own, so the purpose of the garage will be as storage for tools, as well as a workshop.

In response to questions from the Commission, Mr. Ehart said the garage will be set back 5 feet from the property line; a wood side door and aluminum windows are available; the garage will have a wooden floor and be situated on raised blocks, as it will not likely be used for car storage. It was remarked that the staff recommendation and the applicant's design differ in materials used.

Public Comment:

None.

Deliberation:

The Commission agreed the design of the roof was a more appropriate choice. They remarked that sheds are required by the Standards to be built with wood, and that leniency could be provided for the garage door to be fiberglass or metal since those are lighter materials.

Findings of Fact:

Sue McHugh made the following MOTION: “I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #**H-63-2021**

- 1) That Michael Ehart, owner, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 218 West Horah Street and designated within the West Square Local Historic District.
- 2) The proposed project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein;
- 3) The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action:

Sue McHugh continued; “I, therefore, move based on the testimony presented, the adopted Findings of Fact and the adopted Historic Design Standards that the Commission **approve** H-59-2021 subject to the conditions detailed in the Findings of Fact.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

H-64-2021, Wrenn House, 115 South Jackson Street; Bill Burgin, Agent/Applicant; Bell Tower Green, Inc., Owner; (Parcel ID: 010 153)

Request

Demolition of stone accessory building, rear addition, side addition, installation of elevator, replace wood deck and add railings and accessibility ramp, install garbage enclosure, and install donor wall.

This application was withdrawn by the applicant. The case has been scheduled for the next meeting.

H-65-2021, City Motor Company, 419 South Main Street; James Maynard, Agent/Applicant; Lisa Pope, Owner; (Parcel ID: 010 199)

Request

Restore showroom windows.

Identification of Property

Emily Vanek made a staff presentation. The building is currently on the National Register Study List. She displayed the history of Certificates of Appropriateness for the property.

Staff Findings:

Staff finds the following elements of the project to be not incongruous with the character of the Downtown Local Historic District:

- 1) The applicant has requested approval to replace the front showroom windows. The window will be aluminum, as was there previously, and 18 feet tall. The property owners are seeking Individual Listing on the National Register for the building. The State Historic Preservation Office has advised the applicant to restore the showroom windows before moving forward with the nomination. The property was placed on the National Register Study List on June 10, 2021. The proposed showroom windows meet Standard 3.3.3.

Staff Recommendations:

Based on the preceding findings, staff recommends that the Commission approve H-65-2021 at the City Motor Company Building located at 419 South Main Street, within the Downtown Local Historic District (Parcel ID: 010 199) subject to the following conditions:

- 1) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
- 2) Commission staff shall review and approve any revisions or deviations to any other portion of the as-submitted work that qualifies as a Minor Work, prior to commencement of that portion of the project.

Applicant Testimony:

James Maynard was sworn in.

They are in the process of applying for classification within the National Register District. Restoration of the original window placement is the first step in the application.

In reply to questions from the Commission, Mr. Maynard said that the area inside the windows will be a common space for residents.

Public Comment:

None.

Deliberation:

The Commission members had no issues with the application.

Findings of Fact:

Jon Planovsky made the following MOTION: “I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #H-65-2021

- 1) That James Maynard, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 419 South Main Street and designated within the Downtown Local Historic District.
- 2) The proposed project is not incongruous as detailed in the application and staff finding number1 and incorporated herein.
- 3) The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Sue McHugh seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action:

Jon Planovsky continued; “I, therefore, move based on the testimony presented, the adopted Findings of Fact and the adopted Historic District Design Standards that the Commission **approve** H-65-2021 subject to the conditions detailed in the Findings of Fact.”

Sue McHugh seconded the MOTION with all members present VOTING AYE. (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

HISTORIC LANDMARK APPLICATIONS

Ms. Vanek reported that staff had received feedback from the State Historic Preservation Office (SHPO) regarding the Mary Steele Scales house at 126 East Steele Street, and would forward it to the applicant.

OTHER BUSINESS

Minor Works Report

The Minor Works Report was received.

In response to a question regarding the Empire Hotel Interior Demolition, Ms. Vanek said the interior walls being removed were non-load bearing; that this was a minor work due to its' being

interior; and, staff had a walk-through with the developer to confirm plans and to have the permit signed.

Approval of Minutes

Minutes for the November 10, 2021 HPC meeting and October 29, 2021 HPI Subcommittee meeting were approved unanimously by a motion from Sue McHugh and a second by Jon Planovsky.

2022 HPC Meeting Schedule

Ms. Vanek provided the meeting schedule for 2022. The HPC meets on the second Thursday of each month. She mentioned that the October meeting is usually adjusted due to the Historic Salisbury Foundation's OctoberTour event. Ms. McHugh said that the OctoberTour committee has not met yet, so the concern as of now is moot.

Public Hearing – Local Historic Design Standards Update

Ms. Vanek reviewed the updates to the Local Historic Design Standards. The Commission members mainly discussed changes in wording regarding stamped concrete in driveways and walkways, centering on whether material should match the era of the house and whether or not they should allow stamped concrete at all.

The update is posted online here: [Proposed Local Historic Design Standards](#)

There were two members of the public in attendance to speak:

Steve Drinkard: Mr. Drinkard spoke in favor of the allowance of stamped concrete for driveways, as that material saved him a considerable amount of money in his own. He reminded the Commission that materials that “mimic” others are allowed in other standards, and used in places throughout his neighborhood. He recommended they table the decision until more members of the public can comment.

Chad Vriesma, Central Piedmont Builders: Mr. Vriesma uses stamped concrete in many of his projects around the City, and lauded it as an affordable option in order to avoid the mundane look of smooth concrete. He used terra cotta and slate as examples of materials that have more affordable options available.

The Commission will include another public hearing in the next meeting. Before the updates are sent to City Council for approval, feedback will be received from SHPO.

610 Park Avenue - Notice of Demolition in a National Register Historic District

The City of Salisbury Code Enforcement has provided notice of intent to demolish the structure at 610 Park Avenue in the Kesler Manufacturing Company – Cannon Mills National Register District. Candace Edwards, Housing Planner, states this is due to the property's failure to be brought into compliance with minimum housing code.

630 South Main Street - Notice of Demolition in a National Register Historic District

The City of Salisbury Code Enforcement has provided notice of intent to demolish the structure at 630 South Main Street in the Salisbury National Register District. Michael Cotilla, Code Enforcement Manager, states that the demolition is property owner initiated.

The HPC receives notice when properties within a National Register Historic District are slated to be demolished. A 90 day notice to HPC is required prior to demolition. If the historic preservation commission finds that the building involved has no particular historic significance or value toward maintaining the character of the national register historic district, it may reduce all or part of such ninety-day period and authorize earlier demolition. The City Attorney recommended leaving the 90 days to satisfy requirements for public notice. The Commission decided to leave the period in place for both demolitions.

Local Historic Landmark Fee

Currently, the fee to for Local Historic Landmark designation is \$800.00. This cost matches the zoning fee as it requires a similar process in notifications, staff time, and advertising. Emily showed the Commission comparable fees from surrounding cities, and Salisbury is on the high end of the scale.

Durham: \$1,400

Raleigh: \$321

Asheville: \$500

Hickory: \$51

Chapel Hill: \$400

Hannah Jacobson told the Commission that revenue from the fee is added to the City's general fund, and that there is only one application pending. The fee for that application was waived due to a moratorium.

ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Andrew Walker, Chair

Jennifer Pfaff, Secretary