

HISTORIC PRESERVATION COMMISSION

Minutes August 20, 2020

The City of Salisbury Historic Preservation Commission met in regular session at 1 p.m. Thursday, August 20, 2020, at 217 S. Main Street in the Council Chamber.

Present: Steven Cobb, Eugene Goetz, Will James, Sue McHugh, Jon Planovsky, Elizabeth Trick, Andrew Walker and Acey Worthy

Absent: Larry Richardson

Staff Present: Catherine Garner and Diana Cummings

CALL TO ORDER AND INTRODUCTIONS

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

PURPOSE AND PROCEDURE

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

“The Commission follows Quasi-Judicial Procedures which means that it makes findings-of-fact based upon sworn testimony from the applicant, or an authorized representative. Decisions made by this board are based on the Historic District Design Guidelines and the Secretary of Interior Standards for Historic Rehabilitation.”

“Appeals from this board, if desired, are heard by the Zoning Board of Adjustment. Further appeals are heard in Rowan County Superior Court. Remember that the commission is only concerned with points of dimensions, scale, materials and other factors that relate to the appearance of the project and its compatibility with the Design Guidelines.”

“Everyone attending the meeting is required to sign in with a valid email address or phone number to permit contact tracing in the event of an outbreak of COVID-19. So, please be sure you have signed in at the sign-in desk outside the holding room. Restrooms are open and available to meeting participants in the rear lobby of the building.”

“Everyone attending the meeting is required to wear a mask while moving through public spaces here at City Hall. Seating in the Council Chambers has been arranged to maintain distance for those participating in the hearing. Those waiting for later hearings should remain in the lobby until the hearing you are attending is announced. Priority in Council Chambers will be given to the applicant, their witnesses, and anyone else who has evidence to present for or against the application during each case.”

“When review of your case is over, please exit through the rear doors into the parking lot. If you wish to remain for a case later in the agenda, please be mindful that you may need to return to the lobby to wait if space is needed for a current case.”

“Everyone wishing to speak will be take an oath rather than be sworn in. When it is your turn to speak, please come to the podium to speak. Please speak slowly and clearly so the Commission can hear through your mask.”

“Commissioners, to aid staff in preparing minutes, Catherine will call for a roll call vote per case. If you propose a motion or a second, please state your name before making your action.”

“We thank you ahead of time for your patience during the meeting.”

EX PARTE COMMUNICATION/ CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT

Steve Cobb is a member of the Historic Salisbury Foundation and will recuse himself for H-12-2020 and HL 01-2020; Acey Worthy will recuse himself for H-20-2020. Will James arrived a little late so he did not vote on H-12-2020.

OLD CERTIFICATE OF APPROPRIATENESS

H-12-2020, 118 N. Lee Street–MDB Properties (owners); John T. Hudson (applicant)

Steve Cobb left the dais.

Request

Remove damaged railing and install hurricane doors over basement steps to secure area and keep out water.

David Alan Shelby, agent, an oath for testimony. Catherine Garner took an oath for testimony.

Identification of Property

Catherine Garner made a staff presentation with photos. This commercial vernacular style building, originally the W. A. Roseman’s Grocery, is located in the Downtown Local Historic District and built circa 1913-1914.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The doors will be metal, which is an appropriate material for the district. The hurricane doors are an appropriate design for utilitarian uses in a commercial district (Chapter 3.1);
2. The doors are needed to keep water out of the basement of the building, which will safeguard the building’s structural stability (Guideline 7.5.6);
3. Per the Commission’s request at the July 23, 2020, meeting, the applicant provided a newspaper clipping from the Salisbury Watchman dated 1988. The submitted letter and

newspaper clipping detail the previous conditions of the building and are included in your packet. The photo in the *Watchman* shows the staircase underneath a pad of concrete at grade. There is no fence in the photograph. However, the fence softens the appearance of the proposed doors on the front façade of the building and is consistent with other examples of commercial basement accesses on a primary or street-facing façade, including at the Plaza (100 N. Main Street) and Spanky's (101 N. Main Street).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-12-2020 at W. A. Roseman's Grocery, located at 118 N. Lee Street, within the Downtown Local Historic District (Parcel ID: 010-5 498), with the following conditions:

1. The doors shall be painted a solid color that closely matches the surrounding red brick to blend the doors with the façade wall;
2. The doors shall properly seal so that water does not enter through points where the doors meet each other or the frame;
3. The existing fence shall be restored around the doors to protect the door and to be in congruity with other examples of commercial basement accesses on primary or street-facing facades within the Downtown Local Historic District; (commissioners did not agree)
4. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
5. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

David Alan Shelby proved that the fence is not historic. Covenants have been cleared with the Historic Salisbury Foundation (HSF). The drain in the basement is about 30' inside.

Public Comment

Sada Stewart of Historic Salisbury Foundation (HSF) offered their support for the proposal. The proposal is unobtrusive and will protect the building from water.

Deliberation

The chair summarized what was discussed at the previous meeting. Although, the fence was noted on the 1999 National Register inventory (the nomination was viewed online), the additional information is the photo from the *Salisbury Watchman* showing that the fence was added around 1988. The steps to the basement were covered with a concrete slab prior to that. There was a renovation by Clay Works around the time of 1988 when the fence was added.

Today, the fence would add a logistics problem opening the basement doors. The other examples of fences downtown are protecting pedestrians from a hole.

Jon Planovsky made a Motion to have Will James join the Commission meeting. All agreed.

MOTION

Finding-of-Facts

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-12-2020:

1. That David Shelby, authorized agent for MDB Properties, owner/applicants appeared before the Commission and sought a Certificate of Appropriateness for the property located at 118 N. Lee Street and designated within the Downtown Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-2 from the July 23, 2020, meeting are incorporated herein; photographs from the *Salisbury Watchman* dated 1988 showed photographs where the fence did not exist. Sada Stewart, representative of Historic Salisbury Foundation, spoke in favor of the application.
3. The findings are subject to four conditions (eliminating #3) recommended by staff and incorporated herein. The other examples of fences downtown for commercial basement access are protecting pedestrians from a hole.

Acey Worthy seconded the motion with all members VOTING AYE. (6-0)

Roll Call: Sue McHugh (AYE), Jon Planovsky (AYE), Gene Goetz (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and 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 Guidelines that the Commission approve H-12-2020 subject to the conditions detailed in the Findings-of-Fact."

Acey Worthy seconded the MOTION. (5-1 APPROVED)

Roll Call: Gene Goetz (AYE), Sue McHugh (NAY), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

By Motion from the Commissioners, Steve Cobb returned to the dais.

NEW CERTIFICATES OF APPROPRIATENESS

H-15-2020—418 W Liberty Street—Derrike and Elyshia Cope, owner/applicant

Elyshia Cope was sworn in for testimony.

Request

After-the-fact—a concrete slab at the back of home to park on.

Identification of Property

Catherine Garner made a staff presentation with photos. The Tudor Revival vernacular style house located in the Ellis Street Graded School Local Historic District and built circa 1910 is listed as contributing.

Staff Findings

Staff finds that the project is partially incongruous with the character of the District because:

1. The 20 ft. x 23 ft. parking area is located in the rear yard and not directly visible from the street. The parking pad is accessed via a shared alley with a row of bushes along the eastern side of the alley. This hedgerow shields the alley from direct visibility along W. Liberty Street (Guideline 4.2.4);
2. The parking area created does not encompass so much of the rear yard that the residential character of the site is lost (Guideline 4.2.11);
3. The paved parking area is not directly abutting the principal structure (Guideline 4.2.12);
4. The pad has been poured along the property edge to the north and there is no vegetative screen for the property to the north. Existing vegetation may screen the property to the east, but the extent is unknown (Guideline 4.2.7).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-15-2020 at the house, located at 418 W. Liberty Street, within the Ellis Street Graded School Local Historic District (Parcel ID: 006 369), with the following conditions:

1. The applicant shall provide a vegetative screen along the edges of the north and east sides of the pad in compliance with Guideline 4.2.7; (Commissioners did not agree)
2. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
3. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

The applicant stated that there was issue with 3-4 inches of standing water and a slope; this is why they added the pad. Neighbors contacted staff to state they were in favor of the pad.

Public Comment

No one spoke in favor or opposition.

Deliberation

Jon Planovsky did not find any reason to require more screening since it abuts a large parking lot for the Prince Charles. There is no fence in the back. Size, scale and material are appropriate. Others agreed.

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-15-2020:

1. That Elyshia Cope, owner/applicant, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 418 W. Liberty Street and designated within the Ellis Street Graded School Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-4 and incorporated herein;
3. The findings are subject to the two conditions recommended by staff and incorporated herein. *Remove the first staff recommendation, "The applicant shall provide a vegetative screen along the edges of the north and east sides of the pad in compliance with Guideline 4.2.7."*

Elizabeth Trick seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steven Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Acey Worthy (AYE), Andrew Walker (AYE)

Action

Jon Planovsky continued, "I, therefore, move based on the testimony presented, the adopted Findings of Fact and the adopted Historic District Design Guidelines that the Commission: Approve H-15-2020 subject to the conditions detailed in the Findings of Fact."

Elizabeth Trick seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steven Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Acey Worthy (AYE), Andrew Walker (AYE)

H-16-2020--116 E. Council Street--Michael Owen, owner/applicant

Michael Owen and Nicholas Goodman (contractor) were sworn in for testimony.

Request

Repair of deteriorated and rotting window frames, and replacement of the existing windows.

Identification of Property

Catherine Garner made a presentation. The property, built 1928-1931, is a commercial vernacular style located in the Downtown Local Historic District and classified as contributing.

Staff finds that the project is not incongruous with the character of the District because:

1. The applicant is proposing to repair the wood trim of the window frame and replace the sashes with wood windows with an exterior aluminum cladding in white to match the existing windows. The windows will be a double-hung, six-over-one style to match the existing windows. (Guideline 3.3.2);
2. The proposed window will be constructed to fit within the existing opening and is designed to have a lower profile rail and stile of the sash to more closely mimic historic windows (Guideline 3.3.2);

3. The applicant has stated to staff that the existing windows are believed to not be the original windows to the structure and are already experiencing material failure.

A sample window was provided and explained by Nicholas Goodman. Windows (with true divided light) will provide comfort and efficiency to the living space. The lower front façade windows will remain. Windows are metal clad and follow the profile.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-16-2020 at the Commercial Building located at 116 E. Council Street, within the Downtown Local Historic District (Parcel ID: 010-4 438), with the following conditions:

1. The replacement windows shall either be true-divided light or simulated-divided light to closely match the existing windows;
2. The glass shall have no tint or appearance of tint due to insulating gas between the panes;
3. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
4. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Public Comment

No one spoke in favor or opposition.

Deliberation

We have wooden windows, which is what we require. The metal cladding provides better maintenance. The true divided light is good.

Findings-of-Fact

Steve Cobb 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-16-2020:

1. That Michael Owen, owner/applicant appeared before the Commission and sought a Certificate of Appropriateness for the property located at 116 E. Council Street and designated within the Downtown Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein; Nicholas Goodman provided evidence regarding the construction of the windows—explaining the cladding process and the fact that they are true divided lights.
3. The findings are subject to the four conditions recommended by staff and incorporated herein.

Jon Planovsky seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steven Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Acey Worthy (AYE), Andrew Walker (AYE)

Action

Steve Cobb continued, "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-16-2020 subject to the conditions detailed in the Findings-of-Fact.

Jon Planovsky seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steven Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

H-17-2020–215 W. Innes Street–Bell Tower Green, Inc., owner/applicant; Allison Merriman, agent

Allison Merriman was sworn in for testimony.

Request

Provide standing seam roof on stage in lieu of flat metal panels.

Ms. Merriman provided a sample of the new material. Based on shape and slope, this is a better solution for the roof. The change in material is not based on cost. The thickness of material eliminates any sound issues.

Identification of Property

This is new construction in the West Square Local Historic District.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The revised standing seam roof material for the stage is a common style of roof and matches several existing applications of standing seam roof within the surrounding blocks as shown in the application (Guideline 5.3.1);
2. The effect of the standing seam will reduce the obtrusiveness of the stage as new construction within the immediate surrounding blocks of the historic district (Guideline 5.3.4);
3. The proposed color for the roof is consistent with surrounding existing applications.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-17-2020 at the Bell Tower Green site, located at 215 W. Innes Street, within the West Square Local Historic District (Parcel ID: 010 153), with 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 portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Public Comment

None

Deliberation

Steve Cobb believes this material blends better with the surrounding neighborhood. It is still metal over wood. The commission previously approved metal tiles.

Findings-of-Fact

Acey Worthy 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-17-2020:

1. That Allison Merriman, authorized agent for Bell Tower Green, Inc., owner, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 215 W. Innes 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; based on shape and slope of the roof, the standing seam material is a better solution for the roof.
3. The findings are subject to the two conditions recommended by staff and incorporated herein.

Jon Planovsky seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

Action

Mr. Worthy continued, "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-17-2020 subject to the conditions detailed in the Findings-of-Fact.

Jon Planovsky seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

At this time the Commission adjourned to reconvene at 3 p.m. as advertised.

Block #2 (beginning at 3:00 p.m.)

H-18-2020–124-126 W. Innes Street–Davis Cooke, owner/applicant

David Cooke was sworn in for testimony.

Request

Replace damaged awnings and metal awning over 124 W. Innes Street with new that conform to the inside of window jambs, and under brick. In the middle, projection of middle awning to match curve on arch. Move existing metal awning to back door.

Identification of Property

Catherine Garner made a staff presentation showing the front façade of the building and proposal drawings. Built in the late 19th–early 20th Century, this commercial building is classified as contributing to the Downtown Local Historic District.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The new awnings will replace previously existing canvas awnings that were destroyed due to weather; the vintage metal awning will be removed to a non-character defining location (Guideline 4.7.14);
2. The awnings will be mounted in a manner that does not obscure or damage historic architectural features, but rather will compliment them. The awnings will be mounted within the window jambs and custom fit to match the curved arches (Guideline 4.7.15, 4.7.16).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-18-2020 at the commercial building, located at 124-126 W. Innes Street, within the Downtown Local Historic District (Parcel ID: 010-2 476), with 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 portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Mr. Cooke offered some history on the building which he bought in 1995. This building was built in 1873 as a 'livery stable. The façade has little resemblance to the way it appears today. In 1919-1951 it became a car dealership (Salisbury Motor Co.). They kept the arch and so it has been a distinctive feature the whole time.

The building was twice as long as it is today. In 1996 the rear section of the building and purchased by the city for parking. The rear wall of the building had to be erected at that time.

The middle window will have the arch. The awnings will be Glade Green.

Public Hearing

None

Deliberation

Materials and awnings are well thought out. This will be an improvement.

MOTION

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-18-2020:

1. That Davis Cooke, owner/applicant appeared before the Commission and sought a Certificate of Appropriateness for the property located at 124-126 W. Innes 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 1-2 and incorporated herein;
3. The findings are subject to the two conditions recommended by staff and incorporated herein.

Acey Worthy seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (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 Guidelines that the Commission approve H-18-2020 subject to the conditions detailed in the Findings of Fact.

Acey Worthy seconded the MOTION with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

H-19-2020–Old Lutheran Cemetery–City of Salisbury, owner; Robert F. Hoke Chapter of the United Daughters of the Confederacy, applicant

The Chair made the following statement:

The next case for the Commission to consider is case H-19-2020 regarding the Confederate monument's placement in the Old Lutheran Cemetery. Before we begin, let me acknowledge that this monument has been the focus of a lot of commentary, especially over the last several months. However, let me also remind you that the Commission's task in this case, like in every other case, is to determine one thing: whether the proposal is congruent with the historic district, based on the historic preservations guidelines. In doing so, the Commission is limited

by law to considering evidence relevant to making that determination. Relevant evidence does not include anyone's opinion about the Monument or its placement. Again, the Commission does not have the authority to decide any other matter except whether the proposal is congruent with the historic district, in that it meets the established guidelines. For the applicant and any other party offering evidence, please be advised of the following:

- *The Commission can only consider evidence and testimony regarding the appropriateness of the proposal as it has been submitted.*
- *This is not the time nor the place to express opinions about the monument. This meeting is not for public comment. Speakers are limited to presenting relevant evidence. Opinions about the monument, whether about its meaning or the suitability of the location for the monument or any other matter, are not relevant to the Commission's task, and will not be considered. If statements are opinion, you will be asked to either provide evidence, or conclude your remarks.*
- *If statements are not within the context of how the proposal fits or does not fit the adopted Historic District Design Guidelines, you will be asked to either provide evidence, or conclude your remarks.*
- *If statements become redundant, you will be asked to provide new evidence, or conclude your remarks.*

The Commission is only authorized to consider and deliberate points of size, scale, materials, and other criteria that relate to the appearance of the project and its compatibility with the Historic District Design Guidelines. Again, we acknowledge that this case has been the center of much social and political commentary, but that information is not relevant to the hearing today and will not be considered.

Nancy Sloop was sworn in for testimony. Because HSF has collected funds to relocate the statue, Steve Cobb, HSF President, recused himself.

Request

Location of the *Fame* statue, with wrought iron fence, gate added (not attached) to the existing cemetery wall, and brick pavers.

Identification of Property

Cemetery–Non-Contributing site

Old Lutheran Cemetery (parcel 011 254) is located in the Downtown Local Historic District. Property bounded by N. Lee Street, E. Cemetery Street, and E. Franklin Street, and North Carolina Railroad right-of-way. Project described as a permanent art installation.

There are two standard street-poles, outside the cemetery, on the opposite side of the E. Cemetery Street that light fixtures will be mounted to in order to light the area (focused on the statue), but not to completely light the cemetery.

Catherine Garner provided photographs. Nancy Sloop testified that they discussed an 8-foot fence. The statue will face south/southwest direction.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The placement of the statue art has been selected and adjusted based on the results of ground penetrating radar to ensure no character-defining details, features, or archeological elements are obscured or destroyed (Guideline 4.6.4);
2. The statue art is of a durable material intended for exterior application (Guideline 4.6.6);
3. The granite pedestal and any concrete pad base for the statue art are typical materials found within the district. The brick pavers surrounding the base are also an appropriate material for the district (Guideline 4.6.7);
4. The wrought iron fence is an appropriate material and style for the district and is based on historic examples (Guideline 4.4.4);
5. There are no new light fixtures proposed inside the cemetery; existing street lights exist within the public right-of-way surrounding the cemetery that will provide enough light for safety without detracting from or overemphasizing the cemetery. (Guideline 4.3.4).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-19-2020 at the Old Lutheran Cemetery, bounded by N. Lee, E. Cemetery, and E. Franklin Streets, within the Downtown Local Historic District (Parcel ID: 011 254), with 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 portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Public Comment

The chair entered into record that an email from Anne Brownlee was received regarding the statue and requesting the case be tabled. The email did not contain any information in respect to the Historic Guidelines.

Clyde was sworn in for testimony. He was concerned that people on the commission had discussed the statue previously and may have conflict. Catherine spoke to the City attorney prior to the meeting and "as long as members do not benefit personally they do not have to recuse themselves."

Clyde quoted from the August 12, 1908 *Carolina Watchman*. "The article states that the Rowan County Confederate monument will be in a conspicuous place in the city...at a meeting of the Board of Alderman a resolution was passed. This was to be a memorial to the patriotism and valor of the Confederate soldiers of Rowan County." Clyde did not offer comments on size, scale or materials related to the guidelines.

Ronald Lee Smith (74) was sworn in for testimony. He passed a letter to the commissioners. Mr. Smith stated that he was a Son of the Confederacy. He claimed to represent the citizens of Salisbury. He requested the Commission table the decision because new locations have come up where the monument/statue can be moved. "I am a Lutheran, this is my cemetery."

He also stated that, "You do not have the information to vote today."

The Commissioners explained that the decision today does not lock into this location—only whether it is appropriate according to the guidelines.

The chair asked him to finish his statement saying, "You have not provided any facts."

Mr. Smith stated that he had 53 people to speak and was told by staff not to have that large a group come to City Hall. (COVID 19 is a concern.) "I am going to appeal this to the mayor of Salisbury."

Will James asked Mr. Smith when the "critical information" was received? Mr. Smith responded Monday at 4:30 p.m. He was made aware of this meeting this morning when it was featured in the *Salisbury Post*.

Deliberation

Regarding materials—they are appropriate. Sue McHugh and staff clarified that the location is not decided by this Commission. The proposal before them is whether the location at the Old Lutheran Cemetery is appropriate. The owners are not bound to put the statue at this location. If another site is chosen later, they will have to follow procedures for that location.

Will James stated that he agreed with staff findings.

MOTION

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-19-2020:

1. That Nancy Sloop, applicant/agent for City of Salisbury, property owner appeared before the Commission and sought a Certificate of Appropriateness for the property of Parcel ID 011 254, bounded by N. Lee, E. Cemetery, and E. Franklin Streets and the North Carolina Railroad Right-of-Way and designated within the Downtown Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-5 and incorporated herein; additional testimony and evidence was provided by Mr. Ronald Smith and by Clyde. Ms. Nancy Sloop provided evidence that the fence will be 8 feet tall.
3. The findings are subject to the two conditions recommended by staff and incorporated herein."

Will James seconded the MOTION with all members VOTING AYE. (7-0)

Roll Call: Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (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 Guidelines that the Commission approve H-19-2020 subject to the conditions detailed in the Findings-of-Fact."

Will James seconded the MOTION with all members VOTING AYE to approve the location at the Old Lutheran Cemetery. (7-0)

Roll Call: Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

The commission welcomed Steve Cobb back to the dais while Mr. Worthy recused himself from the next case since Richard Brown is his neighbor.

H-20-2020–210 S. Long Street–Richard Brown, owner/applicant

Richard Brown was sworn in for testimony.

Request

New construction 16' x 20' garage.

Identification of Property

Located in the Brooklyn South Square Local Historic District, the Tickel-Williams House is a Late Victorian style house classified as contributing and built circa 1900. Parcels have been combined. The structure will be a significant distance from the road and away from the house.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The proposed outbuilding is of a design that is compatible with the design of historic garages and accessory buildings (Guideline 3.6.4);
2. The proposed height of 14 ft. to top of roof is consistent and compatible with the proportion of other accessory structures within the district and does not appear to be taller than the height of the existing primary structure (Guideline 3.6.5);
3. The front gable is a traditional roof form and will be covered in asphalt shingles in the color "Weathered wood." Though Hardie Plank siding is proposed, it will be installed horizontally similar to the house. The accessory structure will also be positioned at the far rear corner of the lot and not directly adjacent to the house or the road where material differences might be apparent (Guideline 3.6.6 and Guideline 3.6.7);
4. The garage door is a 4-panel metal door which is simple and will not overly emphasize the accessory structure (Guideline 3.6.4);
5. No information has been submitted regarding a driveway to serve the accessory structure or any lighting on the structure. There is an existing curb cut from S. Long Street, but no driveway is being proposed to the structure.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-20-2020 at the Tickel-Williams House, at 210 S. Long Street, within the Brooklyn South Square Local Historic District (Parcel ID: 010 462), with the following conditions:

1. Construction of a driveway shall require review by the Historic Preservation Commission due to the distance of the accessory structure from S. Long Street and the visual impact a driveway may have upon the adjacent historic structures;
2. Exterior lighting for the accessory structure shall require review by the Historic Preservation Commission;
3. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
4. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Mr. Brown stated that he bought the property from the Historic Salisbury Foundation and combined the lots. There used to be a house and accessory building on that property; but they burned down. A 15-foot ROW was deeded to the property on the left. There is a like garage at 424 E. Bank Street that has the same materials. There is a big tree on the property that would stay.

Public Comment

Clyde pointed out a typo in the backup material that has been corrected.

Deliberation

The property is set back on the lot. The roofing material on the house is 5V. The proposed asphalt shingle is appropriate for the district. The proposal for the garage roof pitch is 6 12. The applicant said he would change the pitch to anything the commission would like. The pitch on the house is around 12 12. Increasing the pitch on the garage would increase the visibility of the structure. Some commission members liked the 12 12, but the 6 12 is OK.

MOTIONFindings-of-Fact

Sue Mc Hugh 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-20-2020:

1. That Richard Brown, owner/applicant appeared before the Commission and sought a Certificate of Appropriateness for the property located at 210 S. Long Street and designated within the Brooklyn South Square Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-5 and incorporated herein; (Clyde's comments had no bearing on the case.)
3. The findings are subject to the four conditions recommended by staff and incorporated herein."

Elizabeth Trick seconded the MOTION with all members VOTING AYE. (7-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE)

Action

Sue McHugh continued, "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-20-2020 subject to the conditions detailed in the Findings-of-Fact."

Jon Planovsky seconded the MOTION which was approved. (6-1)

Roll Call: Steve Cobb (Nay), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE)

Acey Worthy returned to the dais.

H-21-2020–613 S. Fulton Street–Ralph and Angelia Dittmeier, owner/applicant

Angelia Dittmeier was sworn in for testimony.

Request

Remove rear kitchen window and replace with sheetrock and aluminum siding.

Identification of Property

Located in the West Square Local Historic District the Heilig-Weant Rental House is classified as contributing to the district. It was built Ca. 1905 in the Folk Victorian style.

The Dittmeiers have recently purchased the house and are carefully and lovingly restoring it.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The window to be removed is on the rear elevation of the historic building and tucked behind a small room addition and not easily visible from adjacent properties (Guideline 3.3.9);
2. The applicant is proposing to fill the opening with aluminum siding to match the existing siding on the home (Guideline 3.2.1).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-21-2020 at the Heilig-Weant Rental House, at 613 S. Fulton Street, within the West Square Local Historic District (Parcel ID: 015 152), with the following conditions:

1. The applicant shall leave the framing for the window within the walls so that future owner(s) could restore a window within its original opening, if desired;
2. The applicant shall install aluminum siding to match the existing aluminum siding;
3. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;

4. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Mrs. Dittmeier stated that the house had extensive water damage and the kitchen was in disrepair. The changes are made for installation of modern appliances on the interior. The entire house has aluminum siding.

Public Hearing

Dan DeGraff was sworn in for testimony. He is a neighbor who appreciates the rehabilitation and the manner in which the Dittmeiers have been making the improvements.

Deliberation

The evidence of the window will remain for future identification. The profile of the back of the house was previously disturbed. There are extenuating circumstances with this property—like the existing aluminum siding.

Motion

Finding-of-Facts

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-21-2020:

1. That Angelia Dittmeier, owner/applicant appeared before the Commission and sought a Certificate of Appropriateness for the property located at 613 S. Fulton 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 1-2 and incorporated herein; additional testimony was heard from Dan DeGraff in approval of this project;
3. The findings are subject to the four conditions recommended by staff and incorporated herein.”

Acey Worthy seconded the motion with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (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 Guidelines that the Commission approve H-21-2020 subject to the conditions detailed in the Findings-of-Fact.”

Acey Worthy seconded the motion with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

HISTORIC LANDMARK APPLICATIONS

HL-01-2020, 619 S Main Street–Historic Salisbury Foundation, owner/applicant; Karen C. Lilly-Bowyer, agent

Steve Cobb was recused from the dais because he serves as HSF Board Chair. Karen C. Lilly-Bowyer and Steve Cobb were sworn in for testimony.

Request

Local Historic Landmark Pre-Application

Identification of Property

The Napoleon Bonaparte McCanless House (RW #0998), parcel 015 397, is individually listed on the National Register. Built Ca. 1897, it is of the Second Empire style. Over the years, the interior of the building has been “destroyed”.

When individually listed on the National Register in 2014, the house was only found to have significance under Criterion B.

Based upon the pre-application submitted, the applicant is proposing that the N. B. McCanless House is significant under Criterion B and Criterion C.

B. Properties that are associated with the lives of persons significant in our past;

C. Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

STAFF FINDINGS

Special Significance

- This property’s special significance is for its cultural importance as the home of Napoleon Bonaparte McCanless. Mr. McCanless was a local entrepreneur with heavy involvement in the organization, funding, and/or building of an extraordinary number of ventures, including several local cotton mills, the local granite industry, particularly Harris Granite Company, several banks, and various commercial developments downtown. His interests were in industry and commerce and transportation related projects that supported the two (NR pgs. 15-16)

Integrity

- Design–The exterior of the N. B. McCanless House retains excellent integrity in terms of design. The house is clad in rusticated ashlar granite blocks over load-bearing brick walls.

The use of granite is continued in the narrow bands of granite blocks as a string course at the window sill and lintel height on the first story, and at window sill height and beneath the cornice on the second story. The most distinguishing design feature of this property could be considered the third story mansard roof with decorative slate shingles. These features of the house are not changed from the time of construction.

While it has remained a wrap-around porch, the porch has been altered over the years with portions removed. In addition, the National Register nomination discusses several instances where original design features have either been removed, altered, or are of unknown integrity. In addition, a rear elevation fire escape has been added that detracts from the integrity of the design overall, though less impactful than if the stairs were located on a side or front elevation.

The interior of the structure has greatly suffered in the original design over the years, as different owners have completed various remodeling efforts. Staff finds that the interior should not be included, except for specific, identifiable features. Those specific, identifiable features have not been detailed by the applicant in their pre-application.

- Setting—The house sits on a relatively level parcel that has not been subdivided or otherwise changed in size since the house's construction. The existing railroad bed and National Cemetery to the east remain from the time of construction. Main Street is likely to have changed over the years as traffic demands shifted from trolley to individual automobiles. The residential buildings that surrounded this house are largely gone with the exception of two that remain from the period of significance that have since been converted to commercial uses. The house does not readily retain its integrity of setting as a structure in a residential transition area from the commercial core; the commercial pressures of South Main have overtaken the residential nature of the area.
- Workmanship—The house possesses a high degree of integrity in the workmanship category. The rusticated ashlar granite blocks that make up the cladding for both the house and the kitchen accessory building and the chimney material was locally hewn and is representative of Rowan County granite. Mr. N. B. McCanless was an investor in several granite companies, which influenced the type of construction for his personal residence.
- Materials—The locally hewn granite on both the primary structure and the accessory kitchen structure retains its integrity, as well as the slate shingles on the Mansard roof. However, the integrity of the materials has been compromised by the incongruous vinyl window replacement for the majority of the building, the rear first floor entrance door replacement, and conversion of several rear elevation windows to doors. Window and doors are important aspects of a historic structure. Though in large part, the fenestration pattern remains the same, the material change significantly detracts from the overall integrity of the site.
- Feeling—According to the National Register report, "the house conveys the feeling of a late-nineteenth/early-twentieth century house in an urban setting with easy access to granite quarries in the area (NR pg. 11). While staff finds that it is still an urban setting, the

commercial growth from both ends of South Main Street have changed the area surrounding the house from a primarily residential area at the edge of a commercial district to that of a commercial district.

- Association—Despite alterations to the porch and the original windows, the house has not suffered extensive additions or façade changes that impact the overall look of the house. It sufficiently retains its association with Mr. N. B. McCanless.

Staff finds that the Napoleon Bonaparte McCanless house retains its special significance under Criterion B for Mr. McCanless' contributions to the City of Salisbury's industrial growth and development as well as residential development in the late nineteenth and early twentieth centuries. Staff finds that the house suffers in some areas of its integrity, but wholly retain integrity in its exterior design, workmanship, feeling, and association.

Karen Lilly-Bowyer testified the Foundation will place covenants on mantels in the interior. The semi-attached building also has great integrity. This property is a fine example of properties in Salisbury that need historic protection. This house is right in the middle of a commercial district. Alterations are detailed in the report. She testified that the granite came from the Harris Quarry.

Karen complimented staff for having a keen eye.

Steve Cobb described the significant remaining original wooden windows (with transom windows above) that have been reworked. The front porch that wraps around three sides of the house has rough-hewn granite posts which are all original. The prominent mansard roof of the Second Empire style is original decorative slate. "Other than the replaced windows, the exterior is remarkable."

MOTION

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 Local Historic Landmark application #HL-01-2020:

1. That Karen C. Lilly-Bowyer, agent for Historic Salisbury Foundation, owner/applicant appeared before the Commission and sought an approval of a Local Historic Landmark pre-application for the property located at 619 S. Main Street;
2. The property retains its special significance and integrity as detailed in the application and staff findings and incorporated herein;
3. Additional testimony and evidence was provided by Steve Cobb who indicated which windows are original and highlighted repair to the slate roof and the significance of the granite pillars and balustrades.

Acey Worthy seconded the motion with all members VOTING AYE. (7-0)

Roll Call: Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

Action

Sue McHugh continued, "I, therefore, move based on the testimony presented the Commission approve the Local Historic Landmark Pre-Application for HL-01-2020 and allow applicant to proceed with preparation of a Local Historic Landmark application."

Acey Worthy seconded the motion with all members VOTING AYE. (7-0)

Roll Call: Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

Members voted to have Steve Cobb return to the dais.

OTHER BUSINESS

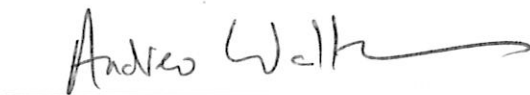
- Jon Planovsky made a MOTION to accept the Minor Works Report. Sue McHugh seconded the MOTION with all members VOTING AYE. (8-0)
- The Historic Preservation Incentive grant applications are available on the Web site (3 locations). Notices are being mailed to property owners in the historic districts.

APPROVAL OF MINUTES

Sue McHugh made a MOTION to approve minutes of July 23, 2020. Jon Planovsky seconded the MOTION with all members VOTING AYE. Minutes were approved as submitted.

ADJOURNMENT

The meeting adjourned.



Andrew Walker, Chair



Diana Cummings, Secretary