

HISTORIC PRESERVATION COMMISSION

Minutes May 13, 2021

The City of Salisbury Historic Preservation Commission met in regular session at 4 p.m. Thursday, May 13, 2021, at 217 S. Main Street in the Council Chamber.

Present: Steve Cobb, Gene Goetz, Will James, Marcelo Menza, Sue McHugh, Jon Planovsky, Andrew Walker, and Acey Worthy.

Absent: Larry Richardson.

Staff Present: Hannah Jacobson and Emily Vanek.

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

Steve Cobb will recuse himself from cases H-18-2021 and H-25-2021.

NEW CERTIFICATES OF APPROPRIATENESS

H-18-2021, 717 North Main Street–John Lambert, agent (Parcel 011 194)

John Lambert, Hannah Jacobson, and Emily Vanek were sworn in for testimony.

Steve Cobb was recused from this case.

Request

Construction of house on vacant lot.

Identification of Property

Emily Vanek made a staff presentation. The property is a vacant lot within the North Main Street Local Historic District.

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

1. The applicant is proposing the construction of a new house. The house plan is a stock home plan from PresPro Custom Homes. The house plan is an alteration of the company's Victoria plan. Of the submitted front elevation plans, the application states that Option D is proposed for 717 North Main Street. The exterior of the house is proposed to be covered in brick and Hardie Board lap planks. (Standard 5.3.1 and 5.3.2)
2. According to the National Register of Historic Places Inventory – Nomination Form, 717 North Main Street was vacant at the time of designation of the North Main Street Historic District. The form reads “Now vacant, this lot was the site of one of the district's earlier Victorian homes.” (NR pg. 50. 136)
3. The proposed dwelling has a length of 42' and a width of 28' and is one-story tall. A 5' by 17' front porch that is flush with the southwest-facing wall is also proposed.
4. The proposed setbacks are consistent with nearby existing homes in the North Main Local Historic District. (Standards 5.1.1 and 5.1.3) The proposed dwelling is oriented towards North Main Street, as the adjacent properties are. (Standard 5.1.4)
5. The applicant has not supplied information on any accessory structures or site features, besides a driveway. The driveway's proposed location is in the rear yard of the property. The driveway will connect to the gravel alley behind the property. (Standards 4.2.4 and 5.1.9)
6. The 700-block of North Main Street has a mix of single-story and two-story homes. Therefore, the proposed home is compatible in height with its neighboring dwellings. (Standard 5.2.1, 5.2.2, 5.2.4, 5.3.4)
7. The applicant has proposed the use of single-hung, four over one grid patterned, vinyl windows, one circular, gable vent, and fiberglass exterior doors. The neighboring houses, 715 North Main Street and 727 North Main Street, appear to have one over one grid patterned, aluminum clad and wooden windows. (Standard 5.2.3, 5.3.1, and 5.3.5)

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-18-2021 at the vacant lot, located at 717 North Main Street, within the North Main Street Local Historic District (Parcel ID: 011 194) subject to the following conditions:

1. Windows shall be wooden or aluminum clad to match the windows found on the surrounding homes and compliment the historic character of the district;
2. All exterior doors on the structure shall be constructed of a historically appropriate material, such as wood;
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 other portion of the as-submitted work that qualifies as a minor work, prior to commencement of that portion of the project.

John Lambert explained that he hoped for the new construction to be a catalyst for new development on North Main Street. He also asked the Commission to consider vinyl windows because historically appropriate windows required high levels of maintenance and would delay construction.

Public Comment

Steve Cobb spoke as a representative of the Historic Salisbury Foundation, the current owner of the property. He stated that the Historic Salisbury Foundation would not keep their covenants on the property after the sale because the Foundation knew that the Commission would make the right decision concerning the case.

Deliberation

Andrew Walker noted that the Commission has not seen a similar case since the Standards were adopted in 2015. The Commission was concerned with the amount of substitute material proposed to be used on the structure, particularly the Hardie Board planks as siding and the vinyl windows. Sue McHugh suggested there could be an exception made for new construction.

Finding-of-Facts

Will James made the following MOTION, "I have reviewed the case and all presented testimony and facts and am familiar with the property in questions and, therefore, move that the Commission find the following facts concerning HPC Case #H-18-2021:

1. That John Lambert, applicant/ agent, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 717 North Main Street and designated within the North Main Street Local Historic District.
2. The proposed project is incongruous as detailed in the application and in staff findings 1-7 and additional evidence provided was that the entire surface of the outside would be covered with Hardie Board.

Jon Planovsky seconded the motion with all members VOTING AYE. (7-0)

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

Action

Will James continued "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact, and the adopted Historic District Design Standards that the Commission deny H-18-2021. Based on Standards 5.3.1 and 5.3.2"

Jon Planovsky seconded the MOTION with a majority of members VOTING AYE. (6-1)

Roll Call: Gene Goetz (AYE), Will James (AYE), Marcelo Menza (AYE), Sue McHugh (NO), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE)

Steve Cobb returned to the dais.

H-22-2021, 129 South Ellis Street –Gail and Jason Williams, owner/applicant; C.J. Peters, agent

C.J. Peters was sworn in for testimony.

Request

Replacement of the existing wooden front porch flooring with PVC planks.

Identification of Property

This colonial revival styled house was built in the early 20th century and is classified as contributing to the West Square Local Historic District.

Staff Findings

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

1. The applicant is proposing to encapsulate the current wooden front porch flooring with a synthetic flooring material. The proposed flooring is a tongue and groove plank. The planks are a PVC material made by Aeratis. (Standards 3.1.3, 3.1.5, 3.5.2, and 3.5.3)
2. The applicants' agent has stated that the existing porch has required replacement, but continues to rot.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-23-2021 at the house located at 129 South Ellis Street within the West Square Local Historic District (Parcel ID: 010 020).

C.J. Peters clarified that he would be encapsulating the existing wooden porch with the PVC plank. Between the wood and the PVC, there would be an asphalt barrier to keep water from the wood underneath.

The existing columns would be placed on top of the PVC encapsulation. The design of the front porch allows for water to pour into the porch and damages the wood. The porch flooring requires yearly splicing and replacement, according to the applicants' agent.

Public Hearing

No one spoke in favor or in opposition.

Deliberation

The Commission discussed the feasibility of wood for the front porch with its current design. The front porch's height allows water to sit on the porch and causes it to rot quicker. The encapsulation will allow the original porch flooring to remain intact if anyone in the future wishes to return the porch to its original design.

Motion

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-22-2021:

1. That C.J. Peters, agent from Gail and Jason Williams, owners/applicants, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 129 South Ellis Street and designated within the West Square Local Historic District.
2. The proposed project as detailed is not incongruous with the Local Historic Design Standards in that substitute materials may be used on a limited basis where deemed necessary, according to Standard 3.1.10. The original floor will remain intact as the PVC planks will encapsulate the porch flooring instead of replacement.

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

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Marcelo Menza (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-22-2021. Subject to the conditions found 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), Marcelo Menza (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

H-23-2021, 506 West Council Street–Bruce and Jenny Davidson, owners/applicants, Patrick Snyder, agent

Bruce and Jenny Davidson were sworn in for testimony.

Request

Installation of wooden arched arbor in west-facing side yard.

Identification of Property

Located in the Ellis Street Graded School Local Historic District, this house at 506 West Council Street is a folk Victorian styled home that was built around 1915.

Staff Findings

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

1. The applicant is proposing to install a wooden, arched arbor at the western facing side yard. The arbor would be located at the start of the concrete paver walkway. The wooden arbor was previously located in the rear yard.

2. The proposed arbor is constructed of an appropriate material for the district.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-23-2021 at the house located at 506 West Council Street, within the Ellis Street Graded School Local Historic District (Parcel ID: 006 324), 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.

Jenny and Bruce Davidson thanked the Commission for hearing their case. They informed the Commission that the wooden arbor was proposed to be moved to make it easier to mow the back lawn.

Public Hearing

No one spoke in favor or in opposition.

Deliberation

The Commission believed the proposed arbor to be appropriate in its material and size to the structure.

Findings-of-Fact

Gene Goetz 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-23-2021:

1. That Bruce and Jenny Davidson, owners/applicant, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 506 West Council 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 1-2 and incorporated herein;
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), Marcelo Menza (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action

Gene Goetz 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-23-2021 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), Marcelo Menza (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

H-24-2021, 228 West Monroe Street--Allison and Matthew Dunkin

Allison Dunkin was sworn in for testimony.

Request

Replacement of tin shingle roof with asphalt shingles.

Identification of Property

Located in the West Square Local Historic District, this house at 228 West Monroe Street is a Colonial Revival styled home that was built around 1900.

Staff Findings

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

1. The applicants have proposed to replace the portion of the roof that has black tin shingles with black asphalt shingles. The applicants have made repairs to the roof structure, but not to the shingles. The applicants have stated that the damaged tin shingles allow for water to seep through and require replacement.
2. The applicants have stated that the contractors they have used said that the tin shingles that are an exact match of the existing shingles are no longer available and have recommended their replacement with asphalt shingles. Staff has recommended a roof product that would meet the Standards to the applicant.
3. The rear gable roof currently has asphalt shingles. There is a mix of asphalt and tin shingles on the rest of the roof, the majority of which being tin shingles.
4. The applicants were awarded a Historic Preservation Incentive Grant in 2020 that will be granted upon completion of the roof repairs.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-24-2021 at the house located at 228 West Monroe Street, within the West Square Local Historic District (Parcel ID: 010 184) subject to the following conditions:

1. The applicant use metal shingles to replace the existing metal shingles;
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 other portion of the as-submitted work that qualifies as a minor work, prior to commencement of that portion of the project.

Allison Dunkin testified that she had received feedback from three contractors. One refused the work, one did not have an appropriate replacement product for the tin shingles, and the last quoted the project for \$33,000 for replacing the tin shingles with a product similar to the tin, but not the entire roof. Allison Dunkin estimated that the existing roof was 60% asphalt shingles and 40% tin shingles. Allison Dunkin told the Commission that the tax value of the house is \$140,000, which makes the quote a large percentage of the total taxable value of the house.

Bill Carter explained the rot that has occurred under the shingles. The tin shingles have holes that allow water to seep through and have damaged the wood underneath. This has allowed water to get into the attic, causing mold.

Public Hearing

Marty Woods, at 416 South Jackson Street, told the Commission that she had not realized that the existing shingles were tin until Allison Dunkin told her about the project.

Dan DeGraff said that Allison and Matthew Dunkin are attempting to be good stewards of the house.

Deliberation

The Commission found the existing portion of asphalt shingles to be a mitigating circumstance for approval. If the tin were to be approved, the roof would still be a patchwork of asphalt and metal shingles. The asphalt roof may still be patchwork if the applicants do not use exist match asphalt shingles as what is on the house now. Marcelo Menza wanted to ensure that the new asphalt shingles would match the existing shingles, if the asphalt shingles were approved.

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 questions and, therefore, move that the Commission find the following facts concerning HPC Case #H-24-2021:

1. That Allison Dunkin, owner/applicant, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 228 West Monroe Street and designated within the West Square Local Historic District.
2. The proposed project is partially incongruous as detailed in the application and staff findings 1-4 and incorporated herein, however additional testimony provided by Bill Carter suggested that the rot under the shingles is extreme enough to warrant immediate action, Marty Woods says that the tin shingles are not apparent to the neighborhood, and Dan DeGraff says that the owners are trying to be good stewards of the home and solve immediate problems.
3. The findings are subject to the conditions number 2 and 3 recommended by staff and incorporated herein.

Will James seconded the motion with all members VOTING AYE. (8-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Marcelo Menza (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-24-2021 subject to the conditions detailed in the Findings-of-Fact.”

Will James seconded the motion with a majority of the members VOTING AYE. (7-1)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Marcelo Menza (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (NO), Acey Worthy (AYE).

H-25-2021, Sean Meyers and Elizabeth Homan, owners/applicants, Brian Pfaff, agent

Brian Pfaff and Elizabeth Homan were sworn in for testimony.

Steve Cobb was recused from this case.

Request

Construction of wooden and square welded wire mesh fence.

Identification of Property

The S.P. Vail House, at 1622 North Main Street, within the North Main Street Local Historic District, is a bungalow styled house built around 1922.

Staff Findings

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

1. The applicants are requesting approval to construct a wooden fence with square welded wire mesh attached. The fence will have four inch by four inch posts at eight foot intervals that stand four to five feet tall. Three levels of horizontal two inch by four inch rails and a two inch by six inch top cap will be added. A one inch by four inch cover board will be added to the out facing portion of the fence.
2. The proposed wooden fence design is appropriate for the building and the district, but the square welded wire mesh is not.
3. The property currently has wooden privacy and chain link fences.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-25-2021 at the S.P. Vail House located at 1622 North Main Street, within the North Main Street Local Historic District (Parcel ID: 004 062) subject to the following conditions:

1. The fence is constructed as proposed, with the square welded wire mesh excluded;

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 other portion of the as-submitted work that qualifies as a minor work, prior to commencement of that portion of the project.

Brian Pfaff and Elizabeth Homan were unsure if the fence would be stepped or level. The existing privacy fence is stepped. The wire mesh was included to keep in the owners' pets and to allow the surroundings to be enjoyed from inside the backyard.

Public Hearing

Steve Cobb added that the fence would look great with the setting. It would allow for the view of the three acres of woods behind the house to be enjoyed from the backyard. Both neighbors are on-board with the proposed fence.

Deliberation

Marcelo Menza asked if the intention of this fence style was to allow vegetation to be vine. Jon Planovsky disagrees with the staff findings, and suggested that the wire mesh was an appropriate material for a fence within the Local Historic Districts.

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 questions and, therefore, move that the Commission find the following facts concerning HPC Case #H-25-2021:

1. That Brian Pfaff, agent, and Elizabeth Homan, owner, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 1622 North Main Street and designated within the North Main Street Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein and that metal and wood are appropriate materials from the North Main Street Local Historic District.
3. The findings are subject to the conditions number 2 and 3 recommended by staff and incorporated herein."

Jon Planovsky seconded the motion with all members VOTING AYE. (7-0)

Roll Call: Gene Goetz (AYE), Will James (AYE), Marcelo Menza (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-25-2021 subject to the conditions detailed in the Findings-of-Fact."

Jon Planovksy seconded the motion with all members VOTING AYE. (7-0)

Roll Call: Gene Goetz (AYE), Will James (AYE), Marcelo Menza (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Steve Cobb rejoined the dais.

OTHER BUSINESS

- Public Comment: National Register nomination of the Ella Brown Cannon House, 202 South Fulton Street

The Ella Brown Cannon house at 202 South Fulton Street, Salisbury, is under consideration for nomination to the National Register of Historic Places. As the Certified Local Government, we are required to hold a public comment period at the Historic Preservation Commission and City Council regarding the proposed nomination and submit comments to the State Historic Preservation Office and the property owners regarding the eligibility of the property to be listed in the National Register of Historic Places.

City Council will hold their public comment period at the May 18, 2021, meeting, which is to be held virtually. Following the submittal of comments, the nomination will be reviewed at the National Register Advisory Committee's meeting on June 10, 2021. Pending the NRAC's decision, the application will proceed to the National Park Service for final review.

The Ella Brown Cannon House was built in 1906. The house was built in a Southern Colonial Revival Style. The Ella Brown Cannon House is located within the Salisbury National Historic District and the West Square Local Historic District.

This will be on the Council Agenda next week.

- Minor Works Report
Minor Works Report was received by consensus.

APPROVAL OF MINUTES

April 15, 2021, minutes were approved as submitted.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.

Andrew Walker, Chair