



**Minutes
February 8, 2024**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:30 p.m. on Thursday, February 8, 2024, in Salisbury City Council Chambers, 217 South Main Street.

Present: Steve Cobb, Spencer Dixon, Ellie Goodnow, Will James, Sue McHugh, Marcelo Menza, Jon Planovsky, Jeff Richen

Absent: Larry Richardson

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

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the Chair, Sue McHugh, at 5:30 pm.

PURPOSE AND PROCEDURE

The purpose and procedure of the meeting was presented by the Chair, Sue McHugh.

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

Sue McHugh recused herself from COA-2024-0007, due to ex parte communication.

Emily Vanek was sworn in.

NEW CERTIFICATES OF APPROPRIATENESS

COA-2024-0003, 226 South Jackson Street, Historic Salisbury Foundation, Owner; Sherry Beck, Applicant (Parcel ID: 010 091)

Request

Replace gravel front walkway with brick walkway in herringbone pattern.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Josephus Hall, McNeely-Strachan House was built in 1820 in the Italianate style, and is considered "Contributing" to the West Square Local Historic District.

Staff Findings

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

- 1) The applicant has requested approval to replace the existing front gravel walkway with brick paver walkway. Standard 4.2.10 says that the paving material of walkways should be appropriate for the structure. The brick is found on the foundation of the main structure and on other front walkways within the district. The brick walkway will match the brick base of the walkway in color and herringbone pattern. The walkway will taper out to be the same width as the front steps.

Staff Recommendation

Based on the preceding findings, staff recommends that the commission approve COA-2024-003 for the Hall House located at 226 South Jackson Street (Parcel ID: 010 091) within the West Square Local Historic District.

Applicant Testimony

Sherry Beck was sworn in. She testified that the current walkway is narrow, and difficult to navigate. The replacement brick will be distressed, in a herringbone pattern that is a style used at the time the house was built.

Ms. Beck responded to questions from the board:

- The width of the walkway will be enlarged to 5 feet. That width is appropriate for walking, as well as wheelchairs.
- Landscaping has not been finalized, however, some will need to be replaced. HSF is working with NC State to determine replacements, and if needed, boxwoods will be relocated on the property.
- A classic herringbone style has been chosen for the new walkway. The herringbone already located at the street will remain.
- Gravel was added to the walkway after the house was already built; it is not original to the house.
- An ADA ramp will not be added, as the entire house cannot be made accessible.

Public Comment

None.

Deliberation

The request clearly meets the standards, even though gravel would have been original to that time period. The fact that the house is a museum makes it a mitigating circumstance, and the fact that the request honors the integrity of the building.

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 #COA-2024-0003

- 1) That Sherry Beck, agent for Historic Salisbury Foundation, owner, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 226 South Jackson Street and designated within the West Square Local Historic District
- 2) The proposed project is not incongruous as detailed in the application and staff finding number 1 and incorporated herein."

Will James seconded the MOTION. The motion carried with members presents VOTING AYE (8-0), via voice vote.

Action

Jon Planovsky continued, "I, therefore, move based on the testimony presented, the adopted Findings of Fact, and the adopted Local Historic Design Standards that the Commission:

Approve COA-2024-0003 subject to any conditions detailed in the Findings of Fact."

Spencer Dixon seconded the MOTION. The motion carried with members presents VOTING AYE (8-0), via voice vote.

COA-2024-0007, 904 North Main Street; Straight Path Real Estate Solutions, LLC, Owner; Mirna Pineda and Linda Jenniton, Applicants (Parcel ID: 011 138, 011 425, 011 426)

Jon Planovsky made a MOTION to recuse Sue McHugh, and to appoint Steve Cobb as Chair. Spencer Dixon seconded the MOTION. The motion carried with members VOTING AYE (7-0), via voice vote.

Request

New construction; three single-family houses.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The site was previously two parcels, and one (facing North Main Street) has been subdivided. The Miller-Cress House, built in 1900, occupied the site until it was moved to its present location about 1930. Bowers Performance Shop was built on the site later, and has since been demolished. The parcels are located with the North Main Street Local Historic District.

Staff Presentation

Staff finds the following elements of the proposed project not incongruous with the character of the North Main Street Local Historic District:

- 1) Houses on this block of North Main Street are typically 25' setback from the front property line and 15' on this block of West Steele Street. Standard 5.1.1. says to keep setbacks of new construction consistent with neighboring properties.
- 2) Houses on this block generally range from about 10-20 feet apart. Proposed houses are 14' apart from each other and about 20' from 910 North Main Street, which is consistent with Standard 5.1.3., which says the distance between buildings should be compatible in new construction.
- 3) Two houses will be oriented towards North Main Street and one will be oriented towards West Steele Street, which is consistent with other structures on those two blocks and appropriate according to Standard 5.1.4.
- 4) All four elevations lack wall articulation. Many contributing structures within the district also lack articulation, such as 910 and 923 N. Main Street, but generally corner lots use articulation or another element such as a chimney or wrapped porch to create visual interest on the elevation facing the right-of-way.
- 5) The height from the foundation to the roof is 9' 6". These blocks of North Main Street and Steele Street have a mix of one, one and a half, and two story houses and Standard 5.2.1. says to design the heights of new buildings to be consistent with the height of historic buildings on the same block.
- 6) Proportionally, the proposed houses are wider than they are tall. On this block, contributing buildings are typically squarer in proportion, with notable exceptions being 907 and 931 North Main Street. Standard 5.2.2. says to design the proportion of new construction to be compatible with the proportion of contributing buildings in the district.
- 7) Standard 5.2.3. says to introduce new windows and doors that are compatible with those on historic buildings in the district. Windows in the area are generally one over one or three over one. Proposed windows are three over one, which is consistent with the district. Proposed front doors are typical craftsman style with six square panes over two panels. None are proposed, but sidelights and transoms are common on this block.
- 8) Craftsman styled houses on this block have consistent front fenestration patterns with centered front door with symmetrical windows on either side. The proposed front elevations have that same pattern.
- 9) Gable roof with shed style over porch is consistent with roof shapes found in the district, which is consistent with Standard 5.2.4. Roof slope on the two houses facing North Main Street is 8/12 and slope of house facing West Steele Street is 6/12.
- 10) The house is proposed to be clad with smooth cementitious or textured composite lap and shake siding, with brick or stuccoed foundation. Wooden doors with clear glazing are proposed for exterior use. Proposed porch columns are composed of brick bases with wooden tapered columns with wooden balustrade and concrete or wooden tongue and

groove floor. Composition roof shingles are proposed. Standard 5.3.1. says to use materials that are similar to those commonly found in the district.

- 11) Proposed paint colors for wooden features include Behr Historical Grey, Antique White, Limousine Leather, and Ivy Wreath and for siding Forever Demail, Swiss Coffee, and Salisbury Green. Brick color has not been submitted. Appropriate colors for Craftsman houses include dark-hued earth tones, greens, browns, reds, and blues, and whites, creams, and tans for trim, according to Chapter 3.9.
- 12) Standard 5.3.4. says to ensure that architectural detailing of proposed buildings complement the architectural detailing of historic structures in the district. Houses are proposed to be constructed on crawlspace foundations, same as contributing buildings on the block. Tapered porch columns and Arts and Crafts styled balustrade are consistent with other contributing structures. Window pane divisions are consistent with neighboring properties.
- 13) Standard 5.3.6. says to avoid large expanses of blank walls on new construction. Largest expanse of blank wall is about 20' on side elevations.
- 14) Standard 5.3.7. says that new construction should not directly copy historic buildings to differentiate the old from the new, but to ensure new construction is compatible with the district.
- 15) Standard 4.5.6. says to incorporate landscaping into plans for new construction. This block is lined with crepe myrtle trees with many shade trees and Standard 4.1.3. says to restore planting strips in neighborhood during new construction. City arborist has recommended a landscaping plan that introduces one tree per lot.
- 16) Proposed driveways are 9' by 36' (minimum allowable size by LDO) and located at the sides or rear, which is consistent with parking in the district and Standard 5.1.7. Driveways are typically located on the side of the houses and are generally about 8'-10' wide. Standard 4.2.11. says that appropriate materials for driveway include gravel, brick, stone, and similar materials. Front walkway should lead from front porch to public sidewalk on North Main Street and to West Steele Street for the house facing that way to maintain the residential street character. Appropriate materials for walkways include concrete, brick, and stone, and other similar materials, according to Standard 4.2.10. Any restored curbing should be composed of granite to stay consistent with the curbing on this block. Standard 4.1.3. says to restore planting strips in neighborhood during new construction.

Staff finds the following elements of the proposed project incongruous with the character of the North Main Street Local Historic District:

- 17) Applicant has requested approval to use vinyl, simulated divided light windows. Standard 5.3.1. says to use materials that are commonly found in the district. NPS allows new construction to have simulated divided pane windows if interior and external muntins are applied with spacers.

Applicant Testimony

Linda Jenniton was sworn in. She testified that numerous issues have been solved, and that she will accept the arborist's recommendations. Regarding windows, Ms. Jenniton said that wood windows are too expensive, and difficult to obtain, while also making the houses cost-prohibitive to buyers. She has found windows made of mixed materials that can achieve the same look and design creativity. She wants to use materials that will be more cost and energy efficient.

City Attorney, Graham Corriher announced that he had received an email from Ms. McHugh with an objection to Ellie Goodnow's participation in this case, due to ex parte communication. After deliberation, and an explanation of procedure, as well as Ms. McHugh's willingness to testify, members asked her to relay her objection.

Ms. McHugh was sworn in. She testified that she had been told by neighbors that Ms. Goodnow had attended a dinner where the case was discussed. Ms. McHugh was told that Ms. Goodnow discussed the case, and expressed her decision to vote in favor of the request.

Ms. Goodnow did not remember the conversation, and said that she makes every effort to ensure she doesn't speak about cases prior to meetings.

Members discussed the possibility of recusing Ms. Goodnow, as well as the fact that Ms. McHugh's testimony is second-hand.

Spencer Dixon made a MOTION to allow Ms. Goodnow to remain. Will James seconded the MOTION. All members present VOTED AYE (6-0), and the motion passed.

Ms. Vanek distributed window specifications to members, and Ms. Jenniton answered questions:

- Driveway material will be concrete, and accommodate 2 cars. She illustrated this in photos.
- The corner house will have the driveway in the back.
- She confirmed that only three houses, instead of the original four will be built.
- During discussion of siding material, Ms. Jenniton said they would use smooth cementitious siding.
- She clarified the design pieces in each plan, and announced that they have added windows. They will look for reclaimed windows in respect to the historic district. The shutters have been removed from the plan.

Public Comment

All speakers were sworn in prior to speaking.

Sue McHugh, 910 North Main Street, lives next door. She is opposed due to the scale of the proposed houses, as well as the materials used. She believes new construction or infill should be treated equally to existing homes regarding materials in order to be compatible with the district.

Gene Goetz, 126 East Steele Street, lives in the district. He opposes the project due to similar issues regarding scale and material, as well as compatibility in the entire district. He worries that approval will encourage other developers to follow suit.

Schwartz, 925 North Main Street, lives in the district, and opposes the project. She provided a presentation illustrating her favor of developing the lots, but with a variety of style, and especially following the standards. She commented that living in the district is by choice, and residents should follow the guidelines.

Steve Raffa, 903 North Main Street, lives in the district, and opposes the project.

John Martin, 128 West Thomas Street, lives in the West Square Local Historic District. He opposes the project. When he restored his house, he read and followed the standards, and is concerned the applicant hasn't given a complete plan. Since she has changed so many aspects of the original proposal, he would like HPC to not approve until full plans are presented.

Allison Box, 901 North Main Street, lives in the district, and opposes the project. She explained her reasons for purchasing a home in the district, and echoed the previous sentiments. She feels the proposal would negatively affect real estate values, and would not enhance the neighborhood.

Faye Moser, 905 North Main Street, lives in the district, and opposes the project. She wrote her initial comments based on the original plans, but expressed her concern with the same issues as previous speakers. She was disappointed that she lives in the district, but not close enough to receive notice of the hearing.

Greg Rapp, 304 East Bank Street, is a local real estate agent, and opposes the project. He said he was blindsided by the changes to the original proposal, however, also echoed the statements of previous speakers. He suggested that these cases come before HPC in conjunction with, or prior to city zoning approval in order to avoid these issues. Staff explained that once the zoning/subdivision has been created, HPC has no jurisdiction.

Mirna Pineda, 430 Maupin Avenue, is one of the applicants. Her company has built many houses in Salisbury, including in historic districts. She spoke directly to the audience in an effort to explain the reasons for building these houses; she wants to provide homes that younger people can afford, and expressed her love for Salisbury, and older houses. Ms. Pineda expressed the difficulty in following the standards while also trying to provide affordability.

Ed Clement, owner of 815 North Main Street, opposes the project. He was very impressed with the comments made by previous speakers, on the many standards that are being violated. He expressed the need to respect the historic nature and character of the district.

Linda Moser, 907 North Main Street, lives across the street from the project, and opposes it. She is not against new construction, but has serious concerns about the designs. She described the importance of this district as being the first travelers reach when exiting I-85.

Linda Jenniton spoke to the neighbors about the emotional nature of this development. They feel the same, and care about the character of the houses they want to build; they hear them, and want to partner with the community.

Anne Marie Hyden, 826 North Main Street, lives next to the lots. Her son wanted to purchase the property to build a house, but it was bought and broken up into four lots.

Max Vargas, 822 North Main Street, lives in the district and opposes the project. He is concerned that others will come in and build more houses like these proposed.

Andrew Pitner, 618 Wiley Avenue, is a former HPC member, and lives in Fulton Heights. He opposes the project and offered a cautionary tale of how houses like this that were built in Fulton Heights clash with the fabric of the neighborhood. He asked for the standards to be followed.

Deliberation

The commission agreed it would be best to table the decision, so the applicants can provide a more cohesive and complete plan.

Action

Spencer Dixon made a MOTION, "I, therefore, move based on the testimony presented, the adopted Findings of Fact, and the adopted Local Historic Design Standards that the Commission: **Table COA-2024-0007** to provide complete plans, as well as create new documents and images."

Jeff Richen seconded the MOTION with all members present VOTING AYE (7-0), via voice vote.

Steve Cobb made a MOTION to restore Sue McHugh as Chair. Spencer Dixon Seconded the MOTION with all members present VOTING AYE (7-0), via voice vote.

COA-2024-0002, 412 South Ellis Street, Own One Estates, LLC, Owner; Demetrius Hopkins, Applicant (Parcel ID: 009 183)

Request

Construct wooden deck in rear yard.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Brittain House was built in 1900 in the Queen Anne style, and is considered "Contributing" to the West Square Local Historic District.

Staff Findings

Staff finds the following elements of the project congruous with the character of the West Square Local Historic District:

- 1) The applicant has requested approval to construct a 16' x 12' wooden deck in the rear yard. Standard 5.5.1, says a new deck is appropriate for the district if it will not be visible from the right-of-way and Standard 5.5.4, says to screen the view of new decks with landscaping. The proposed deck is located in a way that it would not be visible from the front.

- 2) Standard 5.5.2. says to construct a new deck so that no historic features are damaged. There are not any significant features that will be impacted from a deck in this area of the house. Standard 5.5.7. says to design decks so that they can be removed without damaging the main structure.
- 3) Standard 5.5.8. says to level the new deck with the foundation of the main house and use lattice as necessary and Standard 5.5.9. says to stain the deck a natural wood color.

Staff Recommendation

Based on the preceding findings, staff recommends that the commission approve COA-2024-002 for the Brittain House located at 412 South Ellis Street (Parcel ID: 009 183) within the West Square Local Historic District, subject to the following condition:

- 1) The deck will be stained a natural wood color to meet Standard 5.5.9.

Applicant Testimony

Demetrius Hopkins was sworn in. He had nothing to add but explained he was replacing a deteriorated deck, and would screen the bottom with lattice.

Public Comment

None.

Deliberation

Members agreed it was a straightforward request.

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 #COA-2024-0002

- 1) That **Demetrius Hopkins, agent for Own One Estates LLC, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **412 South Ellis Street** and designated within the **West Square** Local Historic District
- 2) The proposed project is **not incongruous** as detailed in the application and staff finding number 1-3 and incorporated herein;
- 3) The findings are subject to the one condition recommended by staff and incorporated herein; the deck will be covered with a natural stain and covered at the bottom with lattice."

Jeff Richen seconded the MOTION. The motion carried with members present VOTING AYE (8-0), via voice vote.

Action

Spencer Dixon continued, "I, therefore, move based on the testimony presented, the adopted Findings of Fact, and the adopted Local Historic Design Standards that the Commission:

Approve COA-2024-0002 subject to any conditions detailed in the Findings of Fact."

Jeff Richen seconded the MOTION. The motion carried with members present VOTING AYE (8-0), via voice vote.

COA-2024-0008, 124 East Innes Street, Go Ventures, LLC, Owner; Mikey Wetzel, Applicant (Parcel ID: 105 502)

Request

After-the-fact rear door replacement; brick wall restoration.

The applicant or agent was not present.

OTHER BUSINESS

Local Historic Landmark Applications

The church across from the Dixonville Cemetery is interested in applying for Landmark status.

Committee Reports

The Landmark Committee will meet the end of February.

The Grants Committee needs to schedule a meeting.

The Cultural Preservation Committee needs to schedule a meeting.

Minor Works Report

Spencer Dixon made a motion to approve the report as written, Jeff Richen seconded the motion; all members present voted AYE via voice vote.

Approval of Minutes

Spencer Dixon made a motion to approve the January, 2024 minutes as written. Steve Cobb seconded the motion. All members present voted AYE via voice vote.

ADJOURNMENT

The meeting adjourned at: 8:48 pm. The next meeting will be held on Thursday, March 14, 2024, in Council Chambers at Salisbury City Hall, 217 South Main Street.

DocuSigned by:

Sue McHugh

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Sue McHugh, Chair

Jennifer Pfaff

Jennifer Pfaff, Secretary