

HISTORIC PRESERVATION COMMISSION

Minutes April 15, 2021

The City of Salisbury Historic Preservation Commission met in regular session at 4 p.m. Thursday, April 15, 2021, at 217 S. Main Street in the Council Chamber.

Present: Steven Cobb, Gene Goetz, Sue McHugh, Jon Planovsky, Elizabeth Trick, and Andrew Walker.

Absent: Will James, Larry Richardson, and Acey Worthy.

Staff Present: Hannah Jacobson and Emily Vanek.

CALL TO ORDER AND INTRODUCTIONS

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

PURPOSE AND PROCEDURE

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

EX PARTE COMMUNICATION/ CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT

Steven Cobb will recuse himself for H-18-2021 and Elizabeth Trick will recuse herself for H-19-2021.

NEW CERTIFICATES OF APPROPRIATENESS

H-17-2021, 229 West Marsh Street–Joshua Watkins, owner/applicant

Joshua Watkins, Hannah Jacobson, and Emily Vanek were sworn in for testimony.

Request

Installation of roof-mounted solar panels on southeast facing portion of gable roof.

Identification of Property

Emily Vanek introduced the Brick bungalow style home built circa 1930. It is classified as contributing to 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 applicant is proposing the installation of a roof-mounted, utility interactive photovoltaic solar system onto the southeast facing portion of the gable roof. The roof currently has brown, asphalt shingles. The proposed location of the solar panels is on the front portion of the roof, which would make the panels visible from the street. The property does not have accessory structures.
2. The applicant has stated that the trees located at neighboring 227 West Marsh Street would cast shadows on the solar panels if they were to be installed on the back portion of the roof. The applicant has said the shadows would cause a decreased energy production, so the proposed panels have been set to be installed at the front-facing portion of the roof. (Standard 3.7.4)
3. Though the installation of the solar panels would damage the existing roof shingles, the roof itself is not a significant architectural detail of the house. (Standard 3.7.4) The panels will be fixed to the roof via bolted-down mounts.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-17-2021 at the Elliot-Ousley-Preble House, located at 229 W Marsh Street, within the West Square Local Historic District (Parcel ID: 015 195) 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.

Joshua Watkins was available for questions. He confirmed that the solar panels would be a black color and that the junction box for the solar system would be inside the roof, not visible from the outside.

Public Comment

No one spoke in favor or opposition.

Deliberation

The Commission found the shade trees in the rear yard of 227 West Marsh Street to be a mitigating circumstance to allow the solar panels to be placed on the front portion of the roof.

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-17-2021:

1. That Joshua Watkins, owner/applicant, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 229 West Marsh Street and designated within the West Square Local Historic District;

2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein;
3. The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the motion with all members voting aye. (6-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (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 Standards that the Commission Approve H-17-2021 subject to the conditions detailed in the Findings-of-Fact.

Jon Planovsky seconded the motion with all members voting aye. (6-0)

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

H-18-2021, 717 North Main Street–Historic Salisbury Foundation, owner; Journey Capital, applicant; John Lambert, agent;

Steven Cobb was recused from the dais.

John Lambert did not attend the meeting, so H-18-2021 will be tabled until the next meeting.

Steven Cobb returned to the dais.

H-19-2021, 301 South Main Street–Shawn Campion, owner/applicant; Elizabeth Trick, agent;

Elizabeth Trick was recused from the dais. Elizabeth Trick and Shawn Campion were sworn in for testimony.

Request

Addition to existing facility. East Bank Street elevation only.

Identification of Property

Staff presentation made by Hannah Jacobson. Located in the Downtown Local Historic District, the Salisbury Business Center is classified as non-contributing to the district. It was built in 2014.

Staff Findings

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

1. Per the Historic Preservation Commission's conditional approval of H-16-2021 the applicants are proposing option treatments of the East Bank St façade of the proposed addition to the Salisbury Business Center. The Commission found the elevation lacked details that would create a pedestrian scale per Standards 5.1.6, and 5.3.7. The applicant is now proposing two options for the Commission's consideration: A) a vertical garden wall and B) bricked-in windows.

Option A

2. Option A proposed by the applicant is the installation of a vertical landscaping on the E. Bank Street façade of the proposed addition. Eight (8) green metal panels will be affixed to the wall in the same rhythm as the upper story windows. The panels will extend from the sidewalk level and will measure four (4) feet in width by twelve (12) feet in height. A planting area measuring twelve (12) inches in depth will be required to support vegetation growth, but will require the City Council to grant a right-of-way encroachment into the public sidewalk. The applicant has not identified the type or species of planting, but has indicated it will "most likely be a climber". Another example of a vertical garden does not exist in the Downtown Local Historic District, but it is not incongruous with the character of the district, nor is it inconsistent with any specific Local Historic District Standard. The intent behind the installation of green metal trellis panels is consistent with Standard 5.3.7, however, ongoing maintenance of the vegetation will be a concern to accomplishing the intended effect.

Option B

3. Option B proposed by the applicant is the installation of eight (8) bricked-in windows along the E. Bank façade of the proposed addition. The bricked-in windows will be in the same rhythm as the upper story windows and will measure 3 feet 4 inches (3' 4") in width and 9 feet 8 inches (9' 8") in height. Lintels and sills will be simulated using a varied brick pattern. Six of the bricked-in windows will be in blond brick and the two additional windows located on the arched building bay will be in red brick. This is consistent with the use and variation of materials found elsewhere in the building and is consistent with Standards 5.3.1 and 5.3.7.

Staff Recommendation

Option A

Based on the preceding findings, staff recommends that the Commission approve Option A of H-19-2021 at the Salisbury Business Center, located at 301 S Main Street and 0 S Main Street within the Downtown Local Historic District (Parcel IDs: 0106600; 0106590) subject to the following conditions:

1. The applicant shall select an appropriate species of plant that ensures year-round color.
 2. It shall be the responsibility of the applicant to care for the planted species, and to replace when plants are diseased or dying; failure to do so will constitute a violation of the COA.

3. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies, including a Right-of-Way encroachment;
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.

Option B

Based on the preceding findings, staff recommends that the Commission approve Option B of H-19-2021 at the Salisbury Business Center, located at 301 S Main Street and 0 S Main Street within the Downtown Local Historic District (Parcel IDs: 0106600; 0106590) 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.

Elizabeth Trick clarified that her client is seeking approval or both options in order to move the project forward in a timely manner.

Public Comment

No one spoke in favor or opposition.

Deliberation

The Commission found that both options satisfied the request to create a pedestrian-friendly design on the East Bank Street façade. For option A, the applicant will need to acquire a Right-of-Way Encroachment permit from City Council.

Similar metal trellises can be found at the Kmart Plaza. The green color of the proposed metal trellises will be similar to the green colors found on the existing garage.

Motion

Findings of Fact

Steven 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-19-2021:

1. That Elizabeth Trick, agent, and Shawn Campion, owner/applicant, appeared before the Commission and sought a Certificate of Appropriateness for the properties located at 301 South Main Street and 0 South Main Street and designated within the Downtown Local Historic District;

2. The proposed Option A and Option B for project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein;
3. The findings are subject to the 4 conditions recommended by staff and incorporated herein.”

Sue McHugh seconded the motion with all members voting aye. (5-0)

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

Action

Steven Cobb 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 Option A and Option B presented in H-19-2021 subject to the conditions detailed in the Findings-of-Fact.

Sue McHugh seconded the motion with all members voting aye. (5-0)

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

Elizabeth Trick returned to the dais.

H-20-2021, Paint the Pavement Project–City of Salisbury, owner/applicant; Alyssa Nelson, agent;

Alyssa Nelson was sworn in for testimony.

Request

Five crosswalk murals in the Railwalk Arts District in Downtown Salisbury.

Identification of Property

Hannah Jacobson made a staff presentation. The five selected crosswalks are at the intersection of North Lee Street and East Kerr Street and the mid-block of the 200 block of East Kerr Street.

Staff Findings

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

1. While LDO Section 15.7.14 exempts temporary art projects from a COA, the intention of the applicant is to make the intersection of S. Lee Street and E. Kerr Street, as well as the mid-block location on the 200 block of E. Kerr Street, the location for an annually recurring art installation. Therefore, a Certificate of Appropriateness is necessary.
2. Five (5) crosswalks have been identified as locations for painted on-street murals. Each crosswalk measures approximately 6’ wide by 25’ across. Designs will fit within the painted white crosswalk lines, and will not extend onto the granite curbing (Standards 4.1.1

and 4.6.1). The painted crosswalk murals will not impact any buildings within the district, nor conceal any character defining details or features of the district (Standard 4.6.4).

3. Traffic paint (also known as “porch paint”) will be used for all murals. The paint is specifically designed to withstand high traffic areas and is designed to not become slippery when wet. The City’s Engineer and Public Works directors have reviewed and authorized the use of this type of paint on these intersections. Paint will begin to fade within one-year of application. The program is designed to be recurring on an annual basis. Milling and resurfacing of the asphalt will be necessary to return the intersections to their current appearance if the program is discontinued.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-20-2021 at the intersection of N. Lee Street and E. Kerr Street and within mid-block crossing in the 200 block of E. Kerr Street within the Downtown Local Historic District 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.

Alyssa Nelson was available for questions. She asserted that the City would be held responsible for maintaining the crosswalk paint and that artists may be willing to return to repaint once deterioration begins.

Though the artwork is temporary, the Public Art Committee would like to make this an annual project and therefore is seeking approval from the HPC for the program itself.

Public Hearing

No one spoke in favor or opposition.

Deliberation

There was some concern about the maintenance of the crosswalk murals. The City will be responsible for maintaining the murals. The program has secured funding for only one year, but intends to make it an annual event.

Motion

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-20-2021:

1. That Alyssa Nelson, agent, appeared before the Commission and sought a Certificate of Appropriateness for the intersection located at East Kerr Street and North Lee Street and the mid-block crossing and designated within the Downtown Local Historic District;

2. The proposed project for project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein;
3. The findings are subject to the 2 conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the motion with all members voting aye. (6-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (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-20-2021 subject to the conditions detailed in the Findings-of-Fact.

Jon Planovsky seconded the motion with all members voting aye. (6-0)

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

H-05-2021, 628 West Council Street–Kathy Hartford, owner/applicant

Request

After-the-fact porch replacement, window replacement.

Kathy Hartford was sworn in for testimony.

Identification of Property

Hannah Jacobson made a staff presentation. Located in the Ellis Street Graded School Local Historic District, this Craftsman house is listed as contributing and built circa 1915.

Staff Findings

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

1. The applicant made changes to the recessed corner porch on the W. Council St. façade, affecting the flooring and side railings. The previous designs does not appear to be original to the structure. At the time of the National Register listing, the porch had low walls covered in vinyl with what appear to be 2x4’s in the window and door openings, perhaps for screens. In 2000, a COA was issued by the HPC to make modifications to the rear of the structure and to the porch. The framing was approved to be removed and the woodwork and balustrades were to be painted and/or stained white. The current owner has removed the partial walls in favor of wood posts and a plain balustrade along the front and the side of the porch. The posts on the balustrade are square posts with a slanted top and bottom. The flooring was replaced with deck boards, which the current owner (also applicant) has stated she wishes to replace with tongue and groove wood flooring.

2. The Standards state that historic architecture should always be retained and preserved, but if it cannot be preserved, replaced to match or does not exist, the historic porch, entrance, or balcony should be replaced with either a reconstruction based on accurate documentation or a new design compatible with the historic character of the building in height, proportion, roof shape, material, texture, scale, detail, and color. Modern replacement material is not appropriate (Standard 3.5.4). The materials are wood and the design is more consistent with a Craftsman style porch, even though the square posts with slanted top and bottom attached to the outside of the balustrade rails are more of a modern design.
3. The applicant has also replaced approximately ten (10) windows on the sides/rear of the home. The windows on the sides/rear of the home were twelve-over-one style windows. The replacement windows are also twelve-over-one windows but appear to be vinyl, which do not fully meet Standard 3.3.3 regarding replacing windows to match the original in size, scale, proportion, pane or panel division, material, method of operation, and detail.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-05-2021 at the House, located at 628 W Council Street within the Ellis Street Graded School Local Historic District (Parcel ID: 006 186) subject to the following conditions:

1. The porch balustrade railings shall be reversed to put the slanted pickets on the inside of the porch and provide the finished appearance on the exterior;
2. The windows shall be replaced with wood windows to match the original windows as well as the other remaining original windows;
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.

Kathy Hartford testified that the vinyl windows had been installed over six years ago. She also reported that the front porch had structural issues and required immediate repairs.

Kathy Hartford said that she will be preparing a new design for the front porch and will return to the Commission for approval.

Public Comment

No one spoke in favor or opposition.

Deliberation

The house at 628 West Council Street was listed as Contributing to the Ellis Street Graded School in 1999, even though the siding had been replaced with vinyl siding and the front porch's appearance had been aggressively altered from its original appearance.

The windows had been replaced over six years ago. The Commission found this to be a mitigating circumstance.

The Commission noted that their motion would relate only to the windows because the applicant has agreed to return to the commission for the scope of work related to the porch.

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-05-2021:

1. That Kathy Hartford, owner/applicant, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 628 West Council Street and designated within the Ellis Street Graded School Local Historic District;
2. The proposed project for project is not incongruous as detailed in the application and staff findings number 3 and incorporated herein;
3. The proposed project is not incongruous because of the mitigating factors including the fact that windows on the front façade are original, that siding had already been replaced to vinyl when nominated to the National Register in 1999, and that the windows had been replaced more than six years ago.
4. The findings are subject to condition 3 and 4 recommended by staff and incorporated herein.”

Jon Planovsky seconded the motion with all members voting aye. (6-0)

Roll Call: Steve Cobb (AYE), Gene Goetz (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 Standards that the Commission Approve H-05-2021 subject to the conditions detailed in the Findings-of-Fact.

Jon Planovsky seconded the motion with all members voting aye. (6-0)

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

HISTORIC LANDMARK APPLICATIONS

None

OTHER BUSINESS

Minor Works

The Minor Works Report was supplied and reviewed by the Commission.

Local Landmarks Discussion

The Historic Preservation Commission will hold a focus group on Zoom to discuss revisions to the Local Historic Landmarks Ordinance on April 21, 2021, from 5:30 – 6:30 pm.

APPROVAL OF MINUTES

The March 25, 2021, minutes were approved as submitted

ADJOURNMENT

The meeting was adjourned at 5:20 p.m.



Andrew Walker, Chair

