



**Minutes  
July 26, 2021**

The City of Salisbury Historic Preservation Commission met in a special session at 5:15 p.m. on Monday, July 26, 2021, at 217 South Main Street in the Council Chamber.

**Present:** Steve Cobb, Eugene Goetz, William James, Sue McHugh, Andrew Walker, Acey Worthy,

**Absent:** Marcelo Menza, Jon Planovsky, Larry Richardson

**Staff Present:** Graham Corriher, Hannah Jacobson, Emily Vanek

**Guests Present:** Davis Cooke, Resident; Andrea Hartranft, Hartranft Lighting Design, lighting consultant; Dyke Messenger, President, Bell Tower Green, Inc.

**CALL TO ORDER AND INTRODUCTIONS**

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

**PURPOSE AND PROCEDURE**

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

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

None. Mr. Walker mentioned a brief social encounter with Dyke Messenger in which the case was not discussed.

**NEW CERTIFICATES OF APPROPRIATENESS**

**H-33-2021, Bell Tower Green, 215 West Innes Street – Bell Tower Green, LLC, owner; Dyke Messinger, applicant; Allison Merriman, agent  
(Parcel ID: 010 071)**

Dyke Messenger, Emily Vanek, and Andrea Hartranft were sworn in for testimony.

### Request

Approval to replace the Duke Energy Acorn LED light fixtures for Open Deluxe Acorn LED light fixtures on pedestrian poles currently installed in the interior of the Bell Tower Green Park. Lamps shall be 3000K (warm color) in lieu of 4000K (cool color) currently installed. Open Deluxe Acorn meets the City of Salisbury's LDO requirements and will result in a drastic reduction in glare and uplight while providing adequate light for illumination purposes.

### Identification of Property

Emily Vanek made a staff presentation. She displayed the history of Certificates of Appropriateness for the Park.

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

- 1) The applicant has requested approval to remove and replace the nineteen existing interior pedestrian-level light fixtures. The existing fixtures, Duke Energy Acorn LED fixtures, are to be replaced with Duke Energy Open Deluxe Acorn LED fixtures. The 12' poles will remain installed. The replacement fixtures are an appropriate material and traditional style for the site, which is appropriate according to Standards 4.3.9 and 4.3.10.
- 2) The proposed replacement light fixtures have an Illuminating Engineering Society of North America (IESNA) classification of cutoff while the existing fixtures are non-cutoff. The design of the proposed replacement fixtures reduces uplight. The light distribution plan, as shown in the photometric lighting calculations provided by the applicant, have been reviewed by staff to meet Chapter 11: Lighting on Private Property of the Land Development Ordinance.
- 3) The color temperature of the lights will be changed from 4000K, a cooler color, to 3000K, a warmer color.

### Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-33-2021 at the Bell Tower Green, within the West Square Local Historic District (Parcel ID: 101 153) 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 commencements of that portion of the project.

### Applicant Testimony

Dyke Messenger introduced Andrea Hartranft to clarify lighting design. She explained the reduction in glare provided by the new fixtures and gave a definition of "glare" and how it will affect visitors to the park.

Steve Cobb expressed a concern that in the last meeting they received no information regarding the light distribution of the fixtures. He asked how these new fixtures addressed light distribution. Ms. Hartranft explained the comparison in relation to “BUG” rating (Backlight, Uplight, Glare). The existing fixtures have a higher rating for both up-lighting and glare. The new ones have very low glare and a zero rating on up-lighting. The new fixture uses a LED board in the top of the fixture that directs the light down, as opposed to around as with the existing ones.

Mr. Walker commented that glare was an important factor in this case and asked how it is reduced in the fixtures. Ms. Hartranft illustrated how the new fixtures would significantly reduce the glare in comparison with the existing ones. The structure of the replacement fixtures will provide much softer light, therefore, neighbors will not be affected. The replacement fixtures will carry a lower glare rating than is typically seen in a public park.

Acey Worthy emphasized that the purpose of the replacement fixtures is to provide pedestrian safety in the park at night.

#### Public Comment

Davis Cooke, 210 South Jackson Street, spoke in favor of the new application. He recounted his opposition to the existing lighting and outlined the reasons the new fixtures are more appropriate. Mr. Cooke thanked all of the people who worked to rectify the issue.

Dyke Messenger explained the reason for 4000k lamps being installed in the park, even though the original specifications called for 3000k. He believes Duke Energy’s contractor installed the 4000k because that is their standard.

#### Deliberation

The Commissioners agreed that the specifications of the new fixtures regarding light distribution were appropriate and conformed with lighting standards.

#### 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-33-2021:

1. That Dyke Messenger, agent for Bell Tower Green, LLC and Andrea Hartranft, Hartranft Lighting Design, appeared before the Commission and sought a Certificate of Appropriateness for the property located at 201 West 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. Additional testimony was provided by Davis Cooke in favor of the changed lighting fixtures and by Dyke Messenger explaining the error in the original installation,

3. The findings are subject to the two conditions recommended by staff and incorporated herein. Applicants have provided further information explaining how the new fixtures met the Design Standards by showing the Backlight, Uplight, and Glare (BUG) ratings for the existing and proposed light fixtures.

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

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Andrew Walker (AYE), and 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-33-2021 subject to the conditions detailed in the Findings of Fact.

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

Roll Call: Steve Cobb (AYE), Gene Goetz (AYE), Will James (AYE), Sue McHugh (AYE), Andrew Walker (AYE), and Acey Worthy (AYE).

**ADJOURNMENT**

The meeting adjourned at 5:44 p.m.

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Andrew Walker, Chair