



**Minutes  
November 10, 2022**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:30 p.m. on Thursday, November 11, 2022, at the SRU Administrative Building, 1 Water Street.

**Present:** Steve Cobb, Spencer Dixon, Ellie Goodnow, Will James, Jon Planovsky, Andrew Walker, Acey Worthy

**Absent:** Marcelo Menza, Larry Richardson

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

**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 the Chair, Andrew Walker.

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

No ex parte communication or conflict of interest was reported.

Emily Vanek was sworn in.

**NEW CERTIFICATES OF APPROPRIATENESS**

**H-51-2022, 904 Richard Street; Gene Goetz, Agent/Applicant; Eric Jones, Owner; (Parcel ID: 011 164)**

Request

Replace brick in driveway apron with stamped concrete, and paint concrete porch and steps.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The P.S. Page House was built in 1930 in the Colonial Revival style, and is considered "Contributing" to the North Main Street Local Historic District.

### Staff Findings

Staff finds the following element of the project to be incongruous with the character of the North Main Street Local Historic District:

- 1) The applicant has requested approval to replace the brick in the concrete driveway apron with stamped concrete to look like brick. Standard 4.2.11 says that methods of concrete work that are intended to simulate other materials are typically not appropriate.
- 2) The applicant has requested approval to paint the steps and floor of the concrete front porch a tan or white color. The floor and steps were previously painted, but the paint has since worn off. The Standards found in Chapter 3.9 do not specify steps and porches, but do say it is not appropriate to paint foundations, walls, and brick and stone that was historically unpainted.

### Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-51-2022 at the P.S. Page House located at 904 Richard Street, within the North Main Street Local Historic District (Parcel ID: 011 164).

### Applicant Testimony

Gene Goetz was sworn in. Mr. Goetz provided photos that illustrated the condition of the painted porch. He added that the red brick strip in the driveway is completely destroyed. The owner would like to imitate the brick with stamped concrete.

In response to questions, Mr. Goetz replied that the porch is currently painted grey, but the owner would like to change the color to one that matches the house. The concrete will be repaired prior to painting.

### Public Comment

None.

### Deliberation

Members agreed that according to the updated Standards, stamped concrete is not appropriate. They discussed the problems with painting concrete, and other methods available to change the color. Interpretation of verbiage within the Standards seems to allow previously painted masonry to be painted again.

### 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-51-2022-A (Stamped Concrete)**

- 1) That **Gene Goetz, agent for Eric Jones, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **904 Richard Street** and designated within the **North Main Street** Local Historic District.
- 2) The proposed project is **incongruous** as detailed in the application and incorporated herein.”

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

Action

Steve Cobb continued, “I, therefore, move based on the testimony presented, the adopted Findings of Fact, and the adopted Local Historic Design Standards that the Commission **Deny H-51-2022-A (Driveway Apron)** based on the following: The request incongruous with Standard 4.2.11.”

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

Amendment

Jon Planovsky made a MOTION to reconsider a request by the Applicant for H-51-2022-A. Spencer Dixon seconded the MOTION with all members present VOTING AYE (7-0), via voice vote.

The Applicant requested an amendment to **H-51-2022-A**, to allow the use of unstamped concrete or brick in the driveway apron. Steve Cobb made the MOTION. Jon Planovsky seconded the MOTION with all members present VOTING AYE (7-0), via voice vote.

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-51-2022-B (Painted Concrete)**

- 1) That **Gene Goetz, agent for Eric Jones, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **904 Richard Street** and designated within the **North Main Street** Local Historic District.
- 2) The proposed project is **not incongruous** as detailed in the application and incorporated herein.”

Ellie Goodnow seconded the MOTION with all members present VOTING (6-1), via voice vote.

Action

Steve Cobb 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 H-51-2022-B** subject to any conditions detailed in the Findings of Fact.”

Acey Worthy seconded the MOTION with all members present VOTING (6-1), via voice vote.

**H-58-2022, 111 West Innes Street, Elizabeth Trick, Agent/Applicant; Eric Phillips, Owner; (Parcel ID: 102 545)**

Request

Window replacement and repair and replacement of roof membrane.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Commercial Building was built in the late 19<sup>th</sup> century, and is considered “Contributing” to the Downtown Local Historic District.

Staff Findings

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

- 1) The applicant has requested approval to replace one missing window on the second story, back elevation with an aluminum clad window. The window will be two over two light to match other upper story windows on the back elevation. Standard 3.3.3 says to replace missing windows with new that match the original in size, pane division, material, and detail.
- 2) Three front windows on the eastern front elevation will be retained and repaired, which follows Standards 3.3.1 and 3.3.2. Original paint color scheme will be matched.
- 3) Existing roofing membrane will be replaced with TPO membrane. Parapet walls caps and guttering will remain. Standard 3.4.1 says to retain historic forms and architectural details.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-58-2022 at the located at 111 West Innes Street, within the Downtown Local Historic District (Parcel ID: 102 545).

Applicant Testimony

Elizabeth Trick was sworn in. She added that the roof is already a membrane covered style, so will be replaced with the same. She has recommended using metal clad wood for the alley window, as that provides a low profile and less maintenance.

In response to questions, she confirmed that 2 over 2 windows are being used because they assume that is the type originally installed, based on other windows on the back elevation.

Public Comment

None.

Deliberation

In response to the Board's question on metal clad windows being considered incongruous, Ms. Trick explained that the alley is very difficult for the public to access, therefore, out of view. She is aware that the window doesn't meet the Standard, but would like an exception due to the location.

Findings of Fact

Ellie Goodnow 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-58-2022**

- 1) That **Elizabeth Trick, agent for Eric Phillips, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **111 West Innes Street** and designated within the **Downtown** Local Historic District.
- 2) The proposed project is **not incongruous** as detailed in the application and staff finding number 1-3 and incorporated herein; the request also follows Standard 3.10, which allows more design flexibility in the rear façade."

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

Action

Ellie Goodnow 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 H-58-2022** subject to any conditions detailed in the Findings of Fact."

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

**H-59-2022, Historic District Street Lights, Intersection of Innes and Church Streets; Vickie Eddleman, Applicant**

Request

Replace existing streetlight with Standard Roadway LED fixture and update LDO to allow this fixture in all Local Historic Districts with COA.

Identification of Property

Emily Vanek made a staff presentation.

Staff Findings

Staff finds the following element of the project to be **not incongruous** with the character of the Downtown Local Historic District:

- 1) The applicant has requested approval to replace the damaged pole and streetlight. The pole will match the existing, but the streetlight and mast arm will change. The streetlight

will be a Roadway LED fixture with single arm support. The Land Development Ordinance states that a COA is not required when replacing roadway light fixtures if using Cobra fixtures that match existing lights. These lights are no longer available, and the applicant is requesting changing the LDO to allow the Roadway LEDs instead. New light fixtures should meet Standards 4.3.2 and 4.3.10.

#### Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-59-2022 at the intersection of Innes and Church Street within the Downtown Local Historic District.

#### Land Development Ordinance

15.7 E. Certificate of Appropriateness Not Required. Examples of specific items that will not require a Certificate of Appropriateness are:

1. Underground utilities, except where archaeological finds or sites are uncovered;
2. Extension or upgrading of service to customers for equipment such as meters, valves and cleanouts;
3. Changes in type or amount of mechanical equipment such as interfaces, transformers or traffic-control devices on existing overhead lines, poles or ground-mounted installations;
4. Deletion or replacement of poles of standard material and height, not to exceed 45 feet;
5. Addition or deletion of fire hydrants;
6. Routine replacement of street signs;
7. Any upgrading of facilities to comply with National Electrical Safety Code (NESC) requirements;
8. Addition of equipment on existing lines or poles;
9. Replacement of existing overhead lines, poles or ground-mounted installation;
10. Addition or replacement of street lights on existing poles according to the City's standard street lighting policy and using cobra cut-off fixtures, except on blocks with gas lamps;
11. Addition or replacement of benches and trash receptacles in the downtown constructed of steel, dark green or black in color, using traditional designs similar in appearance to existing examples in the downtown;

12. Addition or replacement of decorative, pedestrian-scale street lights in the public right-of-way constructed of steel, dark green or black in color, using traditional designs similar in appearance to existing examples in the downtown;
13. Sidewalks, curb extensions at intersections and truncated dome insets on handicap ramps constructed of brick pavers in color variations of red, red-brown, or maroon, and buff as a secondary color, with granite or concrete curbs;
14. Temporary art or sculpture where free-standing displays will be limited to a period of no more than six months and where all supporting surface materials, including concrete, asphalt, brick paving, sod or other materials, will be returned to their original appearance at the end of the display period, and that after a period of six months, a renewal of six months may be allowed pending approval of the Public Art Committee.

#### Applicant Testimony

Vickie Eddleman was sworn in. She said that the LED bulb is now required by the Federal Government, and that one has already been installed by Duke Energy in front of the Courthouse without notice.

#### Public Comment

None.

#### Deliberation

The request is simple and straightforward, and the change to the LDO is only applicable to streetlights.

#### Findings of Fact

Will James 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-59-2022**

- 1) That **Vickie Eddleman, applicant,** appeared before the Commission and sought a Certificate of Appropriateness for the streetlight located at the intersection of Innes Street and Church Street and designated within the **Downtown** Local Historic District.
- 2) The proposed project is **not incongruous** as detailed in the application and staff finding number 1 and incorporated herein.”

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

#### Action

Will James 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 H-59-2022** subject to any conditions detailed in the Findings of Fact.”

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

**H-63-2022, 215 West Innes Street; Nick Aceves, Applicant; City of Salisbury, Owner; Bell Tower Green Park**

Request

Install flagpole.

Identification of Property

Emily Vanek made a staff presentation, including COA history.

Staff Findings

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

- 1) The applicant has requested approval to install a 40’ anodized bronze flagpole in the right-of-way on West Fisher Street. (Location was OK’d by City Engineering Department) Flagpole base will be constructed of four pink granite blocks to match those found in the park. Standard 5.3.1 says to use materials commonly found in the historic district. Standard 4.1.6 says to incorporate street furniture in public spaces that are consistent materials and design with others in the district.
- 2) Small light fixture will be installed to illuminate the flag at night. Standards 4.3.2, 4.3.3, and 4.3.6 say to introduce unobtrusive lighting fixtures with subtle, directional lighting to avoid spilling light on adjacent properties.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-63-2022 at Bell Tower Green park located at 215 West Innes Street, within the West Square Local Historic District (Parcel ID: 010 153).

Applicant Testimony

Nick Aceves was sworn in. The location in the request was selected by the Bell Tower Green Advisory Board, and is the best for maintenance, as well as most unobtrusive to underground infrastructure. They are currently looking at a downward facing light, as those installed on the ground have issues with tampering.

In response to questions, Mr. Aceves said the flag will be most visible in this location.

Public Comment

None.



Deliberation

Members agreed the request meets Standards.

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-63-2022**

- 1) That **Nick Aceves, agent for City of Salisbury, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **215 West Innes Street** and designated within the **West Square** Local Historic District.

The proposed project is **not incongruous** as detailed in the application and staff finding number 1-2 and incorporated herein.”

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

Action

Acey Worthy 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 H-63-2022** subject to any conditions detailed in the Findings of Fact.”

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

**H-60-2022, 429 East Bank Street; Patty Jaeger, Owner/Applicant; (Parcel ID: 019 060)**

Request

Bring 6-foot privacy fence to 7.5 feet tall.

Identification of Property

Emily Vanek made a staff presentation, including COA history. The house was built in 1880 with a second story addition in 1910, in Colonial Revival style. It is consider “Contributing” to the Brooklyn-South Square Local Historic District.

Staff Findings

Staff finds the following element of the project to be **not incongruous** with the character of the Brooklyn-South Square Local Historic District:

- 1) The applicant has requested approval to bring the existing 6’ privacy fence up to 7½’ with lattice. The privacy fence once has lattice on top, but the applicant is requesting to put the lattice under the existing fence and raising the fence. **Standard 4.4.7** says that it is not appropriate for privacy fences to be taller than 6’.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-60-2022 at the Smith House located at 429 East Bank Street, within the Brooklyn-South Square Local Historic District (Parcel ID 019 060), subject to the following condition:

- 1) The wooden lattice shall be added to the top of the existing privacy fence rather than the bottom.

Applicant Testimony

Patricia Jaeger was sworn in. She is requesting a taller fence to provide more privacy, but would prefer to install the lattice at the bottom. She verified for the Board that the posts in the fence are taller than 6 feet, to accommodate the additional height.

Public Comment

Ms. Jaeger's neighbor, Pamela gave a description of the fence in relation to the surrounding homes. She expressed her support for the request.

Deliberation

Members discussed the reasoning behind the 6-foot Standard, to prevent a visual block of the house. The fence is believed to have been there since 1990, prior to the establishment of the local historic district, therefore, lattice could be allowed on the top.

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-60-2022

- 1) That **Patricia Jaeger, owner**, appeared before the Commission and sought a Certificate of Appropriateness for the property located at **429 East Bank 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 finding number 1 and incorporated herein; the fence at one time had lattice installed on the top, up to 7.5 feet, predating the establishment of the local historic district. Ms. Jaeger's neighbor, Pamela testified that the fence was there prior to the district, and spoke in favor.
- 3) The findings are subject to the 1 condition recommended by staff and incorporated herein."

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

Action

Steve Cobb 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 H-60-2022** subject to any conditions detailed in the Findings of Fact."

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

**H-62-2022, 914 North Main Street; Michael Lubanovic, Applicant; 914 N. Main St., LLC, Owner; (Parcel ID: 011 136)**

Request

Replace brick foundation with CMU blocks, and demolition of garage.

Identification of Property

Emily Vanek made a staff presentation, including COA history. The Page-Fonda House was built in 1913, as a Victorian cottage. It is considered “Contributing” to the North Main Street Local Historic District.

Staff Findings

Staff finds the following element of the project to be not incongruous with the character of the North Main Street Local Historic District:

- 1) The applicant has requested approval to replace the brick foundation wall on the driveway side with CMU blocks to match the rest of the house. The CMU blocks would be painted black to match the rest of the foundation. The unpainted brick on the front porch would remain unpainted. Standard 3.2.1 says to retain original foundation material and Standard 3.2.3 says if replacement is necessary to replace with materials that match the original.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-62-2022 at the Page-Fonda House located at 914 North Main Street, within the North Main Street Local Historic District (Parcel ID: 011 136).

Applicant Testimony

Michael Lubanovic was sworn in. They have decided not to demolish the garage, which was included in the staff report. In response to questions from Members, he said that all brick would be replaced because it is failing. Photos showed the extent of failure. The brick on the porch will remain. He also reminded Members that the house next door has a foundation made entirely of CMU.

Don McGinnis, Structural Engineer for the project was sworn in. He explained the method to be used in repairing the foundation, and that CMU would be used for structural value. In response to questions, he added that a brick façade could not be added to the surface of CMU.

Public Comment

None.

Deliberation

Members agreed that this is a straightforward request. They expressed concern regarding brickwork on the corner, and their hopes for preservation. CMU is not a favorite, but they conceded it was already being used in the majority of the foundation.

Findings of Fact

Ellie Goodnow 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-62-2022**

- 3) That **Michael Lubanovic, agent for 914 N Main St LLC, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **914 North Main Street** and designated within the **North Main Street** Local Historic District.
- 4) The proposed project is **not incongruous** as detailed in the application and staff finding number 1 and incorporated herein; testimony was provided by Don McGinnis, that CMU was being used for structural integrity and loadbearing capability.”

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

Action

Ellie Goodnow 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 H-62-2022** subject to any conditions detailed in the Findings of Fact.”

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

**H-65-2022, 317-319 East Liberty Street; Gray Stout, Applicant; Shelter Ministries of Rowan County, Owner; (Parcel ID: 010 278A, 010 278B, 010 26202)**

Request

Install parking lot lighting, landscaping, and resurface alley.

Identification of Property

Emily Vanek made a staff presentation, including COA history. The R.B. Miller Building was built circa 1910 and 1930, and is considered “Pivotal” to the Downtown Local Historic District.

Staff Findings

Staff finds the following element of the project to be **not incongruous** with the character of the Downtown Local Historic District:

- 1) The applicant has requested approval for lighting fixtures in the parking area. Fixtures are proposed to be Enterprise LED fixtures with a mounting height of 17’. **Standards 4.3.2 and 4.3.10** say to select lighting fixtures that are compatible with the site.

- 2) The alley leading from East Council Street to the property is proposed to be lengthened to the parking area and surfaced with asphalt. The width of the alley will not change. Standard 4.2.2 says to construct new driveways to conform to the spacing, width, and materials of existing driveways.
- 3) The applicant has submitted their landscaping plan for review. A condition of H-57-2021 was to have HPC review proposed landscaping around the site. Standard 4.5.6 says to incorporate landscaping in new construction projects.
- 4) Artwork that was planned for the new construction is no longer included in the plans.

#### Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-65-2022 at the R.B. Miller Building located at 317-319 East Liberty Street and 0 North Lee Street, within the Downtown Local Historic District (Parcel ID: 010 278A, 010 278B, 010 26202).

#### Applicant Testimony

Gray Stout was sworn in. He pointed out the location of the light fixtures within the landscaping plan. They will use the same style fixtures as previously approved. In response to questions, Mr. Stout explained that alley access from the Cheerwine Building will be presented in a separate case.

#### Public Comment

None.

#### Deliberation

Members agreed that this is a straightforward request.

#### Findings of Fact

Ellie Goodnow 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-65-2022**

- 1) That **Gray Stout, agent for Shelter Ministries of Rowan County, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the properties located at **317-319 East Liberty Street and 0 North Lee Street** and designated within the **Downtown** Local Historic District.
- 2) The proposed project is **not incongruous** as detailed in the application and staff finding number 1-3 and incorporated herein."

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

#### Action

Ellie Goodnow 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 H-65-2022** subject to any conditions detailed in the Findings of Fact.”

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

## **OTHER BUSINESS**

### Minor Works Report

The Minor Works report was approved.

### Approval of Minutes

Jon Planovsky made a motion to approve the October minutes as written. It was approved by a voice vote of all Members present.

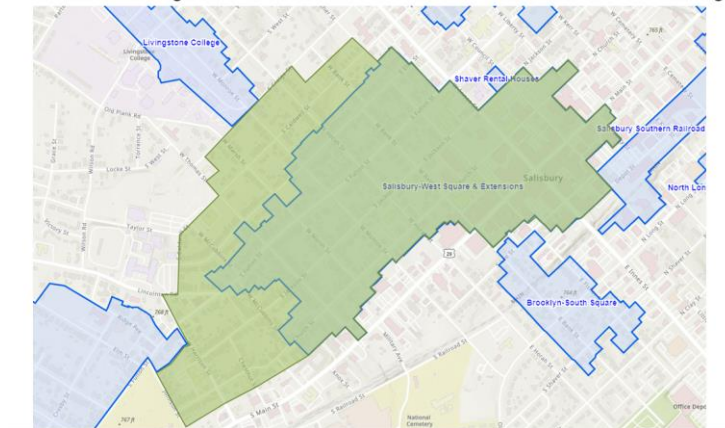
### Exterior Paint Update

Emily spoke with SHPO for guidance on the use of exterior paint treatments similar to Rhinoshield. It was recommended to have staff caution Applicants in the use of these treatments, but that HPC should not create new paint Standards.

### Salisbury National Register Historic District Survey Project

The survey identified two areas to expand into the National Register.

## **Salisbury NR Historic District Survey**



### Local Historic Design Sign Program

Ellis Street Graded School District sign toppers have been installed. Staff is recommending approval from City Council for funding for the remaining Districts.

### Forward 2040 Update

The draft Forward 2040 Comprehensive Plan is available for public review. The Planning Department is holding large and small forum meetings. Information is available at: [salisburync.gov/forward-2040](http://salisburync.gov/forward-2040).

**ADJOURNMENT**

The meeting adjourned at 7:50 p.m. The next meeting will be held on Thursday, December 8, in City Council Chambers.

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Andrew Walker, Chair

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Jennifer Pfaff, Secretary