



**Minutes
December 8, 2022**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:30 p.m. on Thursday, December 8, 2022, in City Council Chambers at 217 South Main Street.

Present: Steve Cobb, Spencer Dixon, Will James, Jon Planovsky, Larry Richardson, Andrew Walker, Acey Worthy

Absent: Ellie Goodnow, Marcelo Menza

Staff Present: Graham Corriher, Jenni Pfaff, 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**

Steve Cobb recused himself from H-69-2022, as he is a member of the Historic Salisbury Foundation Board.

Emily Vanek was sworn in.

NEW CERTIFICATES OF APPROPRIATENESS

H-66-2022, 607 South Fulton Street; Steven Stegall, Owner; (Parcel ID: 015 153)

Request

Approval of after-the-fact installation of pre-fabricated storage shed in rear yard.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Heilig-Miller House was built in 1905 in the Frame Vernacular style, and is classified as "Fill." It is located in the West Square Local Historic District.

Staff Findings

Staff finds the following element of the project to be incongruous with the character of the West Square Local Historic District:

- 1) The applicant has requested after-the-fact approval for the installation of a 12' by 10' prefabricated storage shed with standing seam metal gable roof. Standard 3.6.6 says that prefabricated storage buildings are appropriate provided they have a shingle roof and are constructed of wood painted in a color that compliments the house. The body and roof style of the shed should complement the house as well.
- 2) Standard 3.6.7 says to locate new outbuildings in rear yards in a traditional relationship with the main building. The shed is 6' setback from the side property line.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-66-2022 at the Heilig-Miller House located at 607 South Fulton Street, within the West Square Local Historic District (Parcel ID: 015 153).

Applicant Testimony

Steve Stegall was sworn in. Mr. Stegall testified that the shed needed to be installed quickly, as his Mother-in-law was moving in, and they needed space for her belongings. He was not aware that a COA was required, and apologized for getting obtaining prior approval.

In response to questions from the HPC, Mr. Stegall said he didn't know if the house had asphalt shingles installed prior to his residence. He verified the placement of the shed, showing that it is not visible from the front.

Public Comment

Melanie Stegall was sworn in. She explained that they had recently taken in her mother, as primary caregivers. Had they been aware of the requirement, they would have installed an appropriate shed. Ms. Stegall appealed to the Members to approve roof replacement, as replacing the entire shed would be cost prohibitive.

Deliberation

Discussion centered on the large amount of modifications made to the house, classifying it as "Fill." They listed changes that could be made to the shed to make it more appropriate, and noted that it is a temporary structure.

The City can provide information and guidance on resources for residents who are unaware of the Standards.

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-66-2022**

- 1) That **Steven Stegall, owner**, appeared before the Commission and sought a Certificate of Appropriateness for the properties located at **607 South Fulton 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 1-2 and incorporated herein; Steven and Melanie Stegall, Owners, testified that they were not aware of the Standard, and spoke in favor of allowing the shed to stay with modifications.
- 3) **Standard 3.6.6** says that prefabricated storage buildings are appropriate provided they have a shingle roof and are constructed of wood painted in a color that compliments the house. The body and roof style of the shed should complement the house as well. The house is classified as “fill” and the shed is not visible from South Fulton Street. The roof is visible from West Marsh Street. The house has a steep, cross-gable style roof with asphalt shingles.”

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-66-2022** subject to any conditions detailed in the Findings of Fact, subject to the following condition: The roof of the shed be modified to a gable style roof with asphalt shingles to be compatible with the main structure.”

Will James seconded the MOTION. The motion carried with members present VOTING (4-3), via voice vote.

H-67-2022, 309 North Ellis Street, Patricia Driver, Owner; (Parcel ID: 006 360)

Request

Install awning over rear door.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The House was built in 1910, in the Tudor Revival Style, and is considered “Contributing” to the Ellis Street Graded School Local Historic District.

Staff Findings

Staff finds the following element of the project to be **incongruous** with the character of the Ellis Street Graded School Local Historic District:

- 1) The applicant has requested approval for the installation of an awning above the back door. The proposed awning is a bronze painted aluminum juliet awning. Standard 4.7.13 says that fabric awnings should be installed within door openings to not obscure historic features and says aluminum awnings are not appropriate on historic houses.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-67-2022 at the house located at 309 North Ellis Street, within the Ellis Street Graded School Local Historic District (Parcel ID: 006 360).

Applicant Testimony

Patricia Driver was sworn in. She testified that the rear door is used to enter and exit the house, and she would like an awning installed for protection from the weather.

Ms. Driver shared the website she used to locate the awning she would like to install. It is aluminum, and would be a dark brown color to match the trim on the house.

In response to questions from Members, she replied that the awning would be visible to neighbors, but not from the street. The awning would be mounted to existing aluminum siding, and the light would be located underneath.

Public Comment

None.

Deliberation

Members discussed the frequency in which cases are challenging the Standards, and the fact that this particular Standard seems to apply more to commercial buildings. The City's inventory does not include many Tudor style houses, and Members agreed that the type of awning requested fits within the style of the house. The Standards also refer to flexibility in allowances for modifications to the rear of buildings.

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-67-2022

- 1) That **Patricia Driver, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **309 North Fulton 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 finding number and incorporated herein; the request complies with Standard 3.10, which allows more design flexibility in the rear façade, as well as 4.7.16 regarding mounting of the fixture."

Acey Worthy seconded the MOTION with all members present VOTING AYE (7-0), 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 H-67-2022** 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.

Jon Planovsky made a motion to recuse Steve Cobb from the dais. All present voted AYE.

H-69-2022, 226 South Jackson Street; Historic Salisbury Foundation, Owner; Kimberly Stieg, Applicant; (Parcel ID 010 091)

Request

Install security and landscape lighting.

Identification of Property

Emily Vanek made a staff presentation, including COA history. The Hall House was built in 1820, in the Greek Revival Style, and is considered “Pivotal” to the West Square Local Historic District.

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 for landscape lighting in the front yard and security lights on the outdoor kitchen building. The landscape lights are 18” tall telescoping spot lights and the security lighting is 180 degrees flood lights. There are no streetlights on this block of South Jackson Street or in the alley behind the Hall House. Standard 4.3.1 and 4.3.2 say to introduce unobtrusive exterior lighting in residential areas that is understated and compatible with the residential quality of the property and district and Standard 4.3.3, 4.3.4, and 4.3.5 say to introduce subtle, low-level lighting at the edge of the property for the safety of pedestrians and Standard 4.3.6 says to ensure lighting does not spill onto other properties.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-69-2022 at the Hall House located at 226 South Jackson Street, within the West Square Local Historic District (Parcel ID: 010 091).

Applicant Testimony

Kimberly Stieg was sworn in. Ms. Stieg testified that the Hall House is a museum, and that volunteers and docents, who use the grass area in the back for parking, have requested lighting for safety purposes during the winter, since it gets dark so quickly. They would like the security lighting to be fixed with a motion detector, with the option to leave on during certain hours. The light would be positioned so as not to disturb neighbors. The front landscape lighting would be low level, and proper for guests visiting the museum.

In response to questions from Members, Ms. Stieg verified that they would install 27 landscape lights, 8 feet apart, along the fence, as there is no lighting on Bank or Jackson Streets. She verified the location of the security lighting, and said it would be mounted under the eaves of the roof of the outdoor kitchen.

Steve Cobb was sworn in. He reiterated Ms. Stieg's testimony and clarified the 45-degree angle down that the security lighting would face.

Public Comment

Mark Bias was sworn in. He lives next door to the Hall House. He asked for specifications of the bulbs to be used, and wanted to ensure the light would not affect his house.

Ms. Stieg said they would use 90 watt, 950 lumens LED bulbs, with the intent to point downward to illuminate the alley, not the neighbor's house.

Larry Watson was sworn in. He lives behind the Hall House, and spoke in favor of the lighting, as people use the area as a short cut, and any lighting would be beneficial for security.

Davis Cooke was sworn in. Mr. Davis lives next door to the Hall House. He expressed concern regarding the type of lighting to be used, and worry that it would spill onto his house. He wanted clarification of the Applicant's intent to ensure the lighting would not spill over, and wanted to be on record with this concern.

Deliberation

During deliberation, Members discussed the Standard on spotlights, and that they are always expected to be unobtrusive. Mr. Cobb repeated their promise to adhere to that Standard. Regarding neighbor concerns of light intrusion, Members assured them that the City can enforce the Standard if HSF does not comply.

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-69-2022**

- 1) That **Kimberly Stieg, 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; additional testimony was provided by Mark Bias and Davis Cooke, who reside next door. They expressed concern that the spotlight will intrude onto their property. Larry Watson, who lives behind the Hall House, spoke in favor of the security lighting. Steve Cobb, of HSF, explained the materials to be used, as well as the Foundation's intent to comply with all Standards."

Larry Richardson 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-69-2022** subject to any conditions detailed in the Findings of Fact, specifically, that lighting will be contained within the Hall House property."

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

Jon Planovsky made a motion to reinstate Steve Cobb to the dais. All Members present voted AYE.

OTHER BUSINESS

Minor Works Report

The Minor Works report was approved.

Approval of Minutes

November minutes were approved as written by all Members present.

LDO Chapter 15.7 Update

Ms. Vanek reviewed edits with Members.

HPI Grant Meeting

One of the recently approved grants was declined. There is one application waiting to be approved. Andrew Watson and Spencer Dixon will serve on the committee, along with two members from Community Appearance Commission. Ms. Vanek will schedule a meeting as soon as possible.

Forward 2040 Update

Ms. Vanek gave a short review of the Comprehensive Plan. Staff has requested a letter of support from HPC.

HPC 2023 Calendar

Members approved the calendar with one change to the October date to October 19, to accommodate October Tour.

Fisher Street Bridge

Members asked for an update on the status of the bridge. Staff has compiled comments from the public, and has recommended the bridge remain open to traffic. It will go to City Council for approval.

ADJOURNMENT

The meeting adjourned at 7:15 p.m. The next meeting will be held on Thursday, January 12, 2023, in City Council Chambers.

Andrew Walker, Chair

Jennifer Pfaff, Secretary