



**Minutes
December 14, 2023**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:30 p.m. on Thursday, December 14, 2023, in in City Council Chambers at 217 South Main Street.

Present: Spencer Dixon, Ellie Goodnow, Will James, Marcelo Menza, Jon Planovsky, Larry Richardson, Jeff Richen

Absent: Steve Cobb, Sue McHugh

Staff Present: Graham Corriher, Emily Vanek

CALL TO ORDER AND INTRODUCTIONS

Spencer Dixon made a motion to nominate Ellie Goodnow as Chair. Jon Planovsky seconded the motion. It was approved by all members present.

The meeting was called to order by the Chair, Ellie Goodnow, at 5:35 pm.

PUBLIC HEARING

De-designation of 612 South Main Street from the West Square Local Historic District

Staff Presentation

The property owner of 612 South Main Street has requested de-designation from the West Square Local Historic District. Staff and the property owner have done research into the property and have found that the inclusion of the property into the district was likely a mistake. In 1999, the properties at 114 and 166 West Thomas Street and 612 South Main Street were under a single ownership. The property owner at the time had a commercial use at 114 and 116 West Thomas Street that were no longer permitted with the historic residential zoning district. The owner subdivided the parcels and added the land to the parcel containing 612 South Main Street, but the planning department neglected to address the local historic overlay at the time.

As described in the De-listing Report, the property is not congruent with the West Square Local Historic District. The district was adopted as a residential district that developed beginning in the 1850's with the development of Salisbury. The 1960's commercial style is incompatible with the residential architecture and character of the rest of the district.

The process of de-designation is similar to the process for designation. A pre-application was reviewed by the Historic Preservation Commission at their September 14, 2023 meeting. The

property owner then completed a de-designation report, which was forwarded to the State Historic Preservation Office on September 27, 2023. A response was received on December 8, 2023, which included the following comment:

“We commend staff and the commission for submitting a report that clearly outlines the reasons for the request to remove the property from the local historic district. We believe this report provides the preservation commission and local governing board sufficient information to determine if the commercial building at 612 South Main Street possesses the requisite special local significance and integrity to continue to be included in the West Square Local Historic District.”

The next step is for a public hearing and formal application review by HPC, to be followed by action by the City Council.

The property outside the historic district is zoned DMX; Ms. Vanek related examples of development allowed in that zone, as well as uses for surrounding buildings.

Applicant Testimony

Hesam Nekooasl, of Royal Homes Construction and Development, owner, testified that he had no knowledge of the property’s location within the district until he visited Salisbury’s zoning department. Currently, he has no particular plans for the property.

Public Comment

Staff received email comments, that are available if requested.

John Martin – His back yard connects to this property, and he is against the de-designation. Mr. Martin cited a NC Supreme Court case in 1979, similar to this, that eventually decided the property in question should not be de-designated from the historic district. Since the applicant has provided no plans for the property, he sees no reason it should be removed, and would like to see appropriate re-development in congruence to the historic district. Mr. Martin reminded the HPC that zoning is power over property uses, which is the very definition of the standards.

Approximately 20 people in the audience stood in solidarity with Mr. Martin.

Kimberly Stieg made a statement on behalf of the Historic Salisbury Foundation – “Effective historic preservation is more than just protecting buildings. It’s an effort that enhances the entire community and is a key element in maintaining the character of our beautiful City. Reducing the current footprint of a historic district in any way dishes those efforts and should be carefully considered. Due to its location, the West Square neighborhood and Downtown Salisbury will be directly impacted by anything built on this lot. We believe the request to de-designate without offering a proposed plan for future development is premature. Not having this important information greatly matters. Historic Salisbury Foundation is opposed to this request.”

Edward Clement spoke in opposition to the request. He described the event of taking away a portion of the district for the first time is worrisome, and remarked that removing any piece effects the integrity of the district. The most vulnerable part of any district is the edge, so it is important

to protect it. Mr. Clement remarked that the previous speaker, Mr. Martin moved to Salisbury from Durham, and trusted that the district where he bought his house would remain protected.

Judy Kandl lives in the West Square district and asked for denial of the request. She recounted her experience of living in a house that was not within a protected district, and said Salisbury's standards are reasonable. She believes the applicant can maintain those standards and develop something desirable if the district remains intact. In walking the city's historic districts, she sees many different styles of buildings which illustrates that developers can consider many features when building new construction.

John Schaffer recommended denial of the request. He explained that if the property is removed, HPC would not be involved in the development process; that would not be a good precedent.

Jason Young was born in one of the houses mentioned in the presentation. He recounted the rise and fall of the area, which he feels is currently in decline. Removing the property from the district would add to that decline.

Nancy Clement addressed the claim of un-involvement in the area with the number of homes she and her husband have restored there to people who love it. She believes the people who live in this neighborhood are very active, and recommends denial of the request.

A gentleman spoke in opposition of the request. He said he would love to see another business on the property, but fears the de-designation would take away meaningful voice for what type would be built.

Steve Drinkard, a resident of the district emphasized the importance of how the line was drawn. He believes that chiseling away part of the district is wrong, and recommends denial.

Deliberation

Members discussed the fact that this request is the first to come to HPC, and that it would be a dangerous step to begin the process of removing a parcel from a district. Buffer and setting is important, as are the fringes. There was discussion of the reasons for the decline and recovery in the area, as well as establishing a precedent that would be difficult to reverse.

On the other side, some were concerned about the exerting power over property owners, and that the vast majority of the parcel was outside the district. Concern was for the future of the property, as the owner could ignore that area in any development that occurred.

Motion

Jon Planovsky made a MOTION, "I move that the Commission recommend DENIAL of the de-designation application of the commercial building located at 612 South Main Street from the West Square Local Historic District to the Planning Board because the property is consistent with the special character of the district."

Will James seconded the MOTION. The motion carried with all members present VOTING (5-2), via voice vote.

PURPOSE AND PROCEDURE

The purpose and procedure of the meeting was presented by the Chair, Ellie Goodnow.

EX PARTE COMMUNICATION/ CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT

Spencer Dixon recused himself from case H-53-2023, as he has a close personal relationship with the applicant.

Emily Vanek was sworn in.

NEW CERTIFICATES OF APPROPRIATENESS

H-51-2023, 500 South Jackson Street, Elizabeth Trick, Owner/Applicant (Parcel ID: 015 170)

Request

Replace one double-hung window on interior side elevation with double-hung vinyl window.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Williams House was built in 1940 in the Minimal Traditional style, and is considered “Non-contributing” 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 to replace one double-hung wooden window with a vinyl double-hung window. The window will be located within a shower. Standard 3.3.3. says that replacement windows should match the size, detailing, and material of original windows and the Secretary of the Interior’s Standard for Rehabilitation #6 says to replace features when necessary to match the old in design, color, texture, and where possible, material.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-51-2023 at the Williams House located at 500 South Jackson Street (Parcel ID: 015 170), designated within the West Square Local Historic District.

Applicant Testimony

While restoring the bathroom, Ms. Trick found water damage. She wants to maintain the integrity of the structure, which is why she is requesting vinyl as a replacement. The style and size will remain the same, and the window will be covered with a storm window.

Public Comment

None.

Deliberation

Members found the request straightforward, and the window will not be visible from the street.

Findings of Fact

Spencer Dixon 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-51-2023**

- 1) That **Elizabeth Trick, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **500 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.”

Jeff Richen seconded the MOTION. The motion carried with members presents VOTING AYE (6-1), 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 H-51-2023** subject to any conditions detailed in the Findings of Fact.”

Jeff Richen seconded the MOTION. The motion carried with members presents VOTING AYE (6-1), via voice vote.

H-53-2023, 133 South Main Street, G2 Downtown Holdings, LLC, Owner; Bill Greene, Applicant (Parcel ID: 105 509)

Jon Planovsky moved to recuse Spencer Dixon from the dais. All members present voted AYE.

Request

After-the-fact installation of illuminated parking lot arm.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Bell Block Building was built in 1898 in the Romanesque style, and is considered “Contributing” to the Downtown Local Historic District.

Staff Findings

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

- 1) The applicant has requested after-the-fact approval to install an illuminated parking lot arm in entry of the East Fisher Street parking lot. The Secretary of the Interiors Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings recommend installing protective fencing and gates, when necessary for security, that are as unobtrusive to the district as possible, and recommend taking consideration their location and design so that they do not negatively impact the historic character of the setting. There are two other parking arms within the downtown district, but they are not illuminated.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-53-2023 at the Bell Block Building located at 133 South Main Street (Parcel ID: 105 509), designated within the Downtown School Local Historic District, subject to the following condition:

- 1) The illuminated arm be replaced with a non-illuminated arm.

Applicant Testimony

Mr. Greene made a correction to the staff finding regarding the historic piece of the property in question. He also explained that the character of this portion of Fisher Street is more related to an entertainment district, in that there are many examples of lighted features; he provided examples. He did try to find a non-illuminated arm, but one was not available. The arm is necessary due to safety concerns and liability issues.

Public Comment

Shawn Campion commented that Mr. Greene has invested, and continues to, for the benefit of the city, and downtown. He is in favor of the illuminated arm due to frequent violation of numerous posted signs, as well as safety concerns.

Deliberation

Members found no need for deliberation, due to agreed-upon mitigating circumstances.

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 #**H-53-2023**

- 1) That **William Greene, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **133 South Main 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; mitigating factors include safety concerns and minimal intrusion. Shawn Campion spoke in favor of the request.
- 3) Condition 1 in staff findings is to be removed.”

Will seconded the MOTION with all members present VOTING AYE (6-0), 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-53-2023** subject to any conditions detailed in the Findings of Fact.”

Will James seconded the MOTION with all members present VOTING AYE (6-0), via voice vote.

Jon Planovsky made a motion to welcome Spencer Dixon back to the dais. All members present voted AYE.

H-54-2023, 422 East Fisher Street, Balbina Soriano, Owner; Nelly Olivares, Applicant (Parcel ID: 010 377)

Request

Replacement of all wooden windows with vinyl windows.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Shaver-Crowell-Fisher House was built in 1875 as a Victorian Cottage, and is considered “Contributing” to the Brooklyn-South Square Local Historic District.

Staff Findings

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

- 1) The applicant has requested replacement of all wooden windows on the house with six-over-six grill vinyl windows. The Local Historic Design Standards prioritize repair over replacement of historic features. Staff found all windows to be in good condition during an inspection. When repair is not possible, Standard 3.3.3, says to replace windows with new that match the existing in size, design, and material.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-54-2023 at the House located at 626 West Council Street (Parcel ID: 010 377), designated within the Brooklyn South Square Local Historic District.

Applicant Testimony

Nelly Olivares was sworn in. She explained that all of the windows in the house need replacing, and some are cracked and in very bad condition.

Nico McNally, Ms. Olivares’ contractor was sworn in. He is familiar with historic houses, however, in his assessment, the damage is extensive. The vinyl windows he would like to use would provide the same profile and be aesthetically similar.

Public Comment

None.

Deliberation

Members asked for more information on the replacement windows. Mr. McNally did not have exact specifications. The discussion migrated toward tabling their decision until more evidence can be provided to justify the change of material.

Action

Spencer Dixon made the following MOTION: “I move, based on the testimony presented, the adopted Findings of Fact, and the adopted Local Historic Design Standards that the Commission: **Table H-54-2023** to a date certain 12/11/2024 to gather the following additional evidence: more specific photos, and a specification sheet of the window design.”

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

H-55-2023, 339 East Liberty Street and 322 East Council Street, Rowan Helping Ministries and Historic Cheerwine Condominium Owners Association, Inc., Owners; Kyna Grubb, Applicant (Parcel ID: 010 26202 and 010B014)

Spencer Dixon made a motion to recuse Ellie Goodnow, as her husband has worked as an attorney for the Cheerwine HOA. All members present voted AYE.

Mr. Dixon then made a motion to elect Jon Planovsky as Chair. All members present voted AYE.

Request

Installation of 6’ tall wooden privacy fencing with shadowbox design.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Cheerwine Building was built in 1913, and is considered “Pivotal” to the Downtown Local Historic District. The second parcel is new commercial construction, built in 2023.

Staff Findings

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

- 1) The applicant has requested approval to install a 6’ wooden privacy fence with a shadowbox design. Standard 4.4.4. says if a new fence is to be constructed to use a design that is compatible with the district. Shadowbox designs were not historically used. The proposed fence would be located in the rear yard along the property line and meet Standard 4.4.7.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-55-2023 at the new construction and Cheerwine building located at 339 East Liberty Street and 322 East Council Street (Parcel ID: 010 26202 and 010B014), designated within the Downtown Local Historic District, subject to the following conditions:

- 1) The fence will be a stockade design rather than a shadowbox design,
- 2) The fence will be stained a natural wood color.

Applicant Testimony

Jeff Hochouti, of the Cheerwine Building Homeowner's Association and Kyna Grubb, of Rowan Helping Ministries were sworn in.

The applicants are requesting the shadowbox design instead of stockade due to its ability to provide better privacy for each side; it is also a more aesthetically pleasing design. The location of the fence will also be out of eyesight.

Public Comment

None.

Deliberation

Members discussed the mitigating circumstances of privacy and aesthetics for the shadowbox design.

Findings of Fact

Marcelo Menza 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-55-2023

- 1) That **Kyna Grub, agent for Shelter Ministries of Rowan County and Historic Cheerwine Building Condominium Association, owners,** appeared before the Commission and sought a Certificate of Appropriateness for the properties located at **322 East Council Street and 339 East Liberty 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; mitigating factors of privacy, location of the fence in the back of the property, and the residential location were found.
- 3) The findings are subject to condition #2 recommended by staff and incorporated herein."

Jon Planovsky seconded the MOTION with all members present VOTING AYE (6-0), via voice vote.

Action

Marcelo Menza 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-55-2023** subject to condition #2 detailed in the Findings of Fact.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE (6-0), via voice vote.

Spencer Dixon made a motion to welcome Ellie Goodnow back to the dais. All members present voted AYE.

Mr. Dixon then made a motion to elect Ellie Goodnow as Chair. All members present voted AYE.

H-57-2023, 506 South Church Street, Tellios Legacy LLC, Owner; Susanna Barinowski, Applicant (Parcel ID: 015 185)

Request

Replacement of front porch columns and two front vinyl windows with wooden windows..

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Ray-Kanoy Rental House was built in 1905, in the Traditional Vernacular style, and is considered “Contributing” 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 replacement of the Craftsman front porch columns with new wooden columns that are Greek Revival style. The Greek Revival styled columns would be consistent with other structures on the block. The previous columns were not original to the house and likely added in the 1920’s or 1930’s. Standard 3.5.4. says to replace missing porch elements to either match the original or that are consistent with the style of the house.
- 2) The two front vinyl windows will be replaced with wooden six-over-six windows. The existing vinyl windows have a nine-over-nine grid and wooden windows have a 12-over-12 grid. Standard 3.3.3. says to replace windows when necessary with new that match the original in size, material, and pane division and Standard 3.3.9. allows for flexibility in already replaced windows.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-57-2023 at the Ray-Kanoy Rental House located at 506 South Church Street (Parcel ID: 015 185), designated within the West Square Local Historic District.

Applicant Testimony

The applicant had nothing to add.

Public Comment

None.

Deliberation

Members agreed it was a straightforward request, and were pleased that it included wooden windows.

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 #**H-57-2023**

- 1) That **Susanna Barowski, agent for Teleios Realty Inc, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **506 South Church 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.”

Larry Richardson 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-57-2023** subject to any conditions detailed in the Findings of Fact.”

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

HL-08-2023, 228 West Bank Street, McKenzie-Grimes House; Randall Cernohorsky and John Causby, Owners/Applicants

Request

Local Historic Landmark property pre-application.

Identification of Property

Emily Vanek made a staff presentation, including local historic landmark criteria. The McKenzie-Grimes House, built in 1902, in the Queen Anne Free Classic style, is classified as “Contributing” to the West Square Local Historic District and the Salisbury National Register District.

Staff Findings

Special Significance

The applicant has requested consideration for landmark designation under Criteria C as an excellent example of the Queen Anne Free Classic style. Queen Anne Free Classic are a bit of a

contrast from the typical Queen Anne style, thought of with delicate spindle work and ornamental detailing, Free Classic have classic columns and thick porch columns, similar to the Colonial Revival style. Like other Victorian styles, Free Classic homes are often asymmetrical with character-defining cornice and eaves details, large front porches, and multi-sashed windows. Free Classic peaked in popularity between 1900-1910.

Though the structure is a great example of the Queen Anne Free Classic, it is not the only structure in Salisbury built in this style. Other examples include the Gaskill House (402 S. Ellis Street) and Clement House (302 S. Ellis Street), among others.

Integrity

Detailing such as the fluted pilasters between grouped windows, dentil blocks, wreath motifs, diamond-patterned windows, Palladian windows, roof finials, and scaled shingles contribute to the unique character of the house. Though the tower is clad with wooden shingles, it's later covering of vinyl siding on the main house damage the material integrity of the structure. The house has wooden Tuscan columns and square roofline balustrade above the driveway, which solidify the Free Classic style. The house remains on its original location, with an intact setting within the West Square neighborhood among other residences and compatible street character and landscaping.

Designation

No interior features are included in the landmark pre-application. The property is located within the West Square Local Historic District, so the property will be subject to the COA process regardless of landmark status. Modern pool and pool house should be excluded from the proposed designation.

HPC Pre-Application Action

The HPC shall find whether the property is likely to exhibit special significance and integrity worthy of a Local Historic Landmark – Property designation.

Applicant Testimony

Following the presentation, members had a discussion regarding the past replacement of siding, portions of the roof, and windows, and whether these made moot the designation of the property as a landmark.

Motion

Spencer Dixon made a MOTION, "I move that the Commission find that the McKenzie-Grimes House at 228 West Bank Street is likely to have special significance for its historical, prehistorical, architectural, or cultural importance in at least one of the special significance criterion and all seven aspects of integrity to qualify as a Local Historic Landmark – Property and accept the Landmark Pre-application."

Will James seconded the MOTION. The motion carried with all members present VOTING (6-1), via voice vote.

COMMITTEE REPORTS

Grants Committee

Members discussed the scoring types in the rubric.

Cultural Preservation Committee

The federal Underrepresented Communities Grant application will open in spring, 2024. A meeting of the committee will be scheduled. Mr. Richardson reported that he has heard back from Noble & Kelsey, and will report at the committee meeting.

OTHER BUSINESS

Minor Works Report

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

Approval of Minutes

Jon Planovsky made a motion to approve the November, 2023 minutes as written. Spencer Dixon seconded the motion. All members present voted AYE via voice vote.

Energov Update

Permits will be transitioning to the new online format in early 2024. Members were alerted that case number formats will be different, and applicants will be able to apply for COAs online soon.

2024 Calendar

Jon Planovsky made a motion to move the December, 2024 meeting to the first week, December 5, 2024. Spencer Dixon Seconded the motion; all members present voted AYE via voice vote.

ADJOURNMENT

The meeting adjourned at: 7:57 pm. The next meeting will be held on Thursday, January 11, 2024, in the Salisbury-Rowan Utilities Conference Room, 1 Water Street.

Sue McHugh, Chair

Jennifer Pfaff, Secretary