



**Minutes
August 11, 2022**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:30 p.m. on Thursday, August 11, 2022, at 217 South Main Street in the Council Chamber.

Present: Steve Cobb, Will James, Sue McHugh, Jon Planovsky, Andrew Walker, and Acey Worthy

Absent: Ellie Goodnow, Marcelo Menza, and Larry Richardson

Staff Present: Graham Corriher, Jenni Pfaff, and Emily Vanek

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**

Steve Cobb reported conflict of interest regarding cases H-37-2022 and H-39-2022, due to his position as Chair of the Historic Salisbury Foundation Board of Directors. He recused himself from those cases.

No other ex parte communication or conflict of interest was reported.

Emily Vanek was sworn in.

OLD CERTIFICATES OF APPROPRIATENESS

H-32-2022, 214 East Innes Street; Innes Street Holdings, LLC, Owner; Bradley Nance, Applicant; (Parcel ID: 010 293)

Request

Replace roof and terra cotta coping with aluminum coping.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The property is a brick commercial building, built in 1949, and 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 approval to replace the terra cotta coping with metal coping, while reroofing the building. Standard 3.4.2 says to retain historic roofing material whenever possible.

Staff Recommendations

Based on the preceding findings, staff recommends that the Commission deny H-32-2022 at the commercial building located at 214 East Innes Street, within the Downtown Local Historic District (Parcel ID: 010 293).

Applicant Testimony

Bradley Nance was sworn in. He informed the Commission that he was withdrawing the application. They will retain the terra cotta at an extra expense, based on deliberations from last month’s Commission meeting. The end result will be similar to the New Sarum building, and will require a Minor Work COA.

NEW CERTIFICATES OF APPROPRIATENESS

WITHDRAWN - H-36-2022, 125 East Steele Street; Joe Castenda, Owner; Emil Arita, Applicant

H-37-2022, 509 East Fisher Street, Coy Partners, LLC, Owner; Larry Stirewalt, Applicant; Mercedes Baque, Agent (Parcel ID: 019 123)

Jon Planovsky made a motion to recuse Steve Cobb from the dais; it was approved by a unanimous voice vote by all members present. Mr. Planovsky also made a motion to welcome Sue McHugh to the dais; this was also approved by all members present.

Request

After-the-fact front and back door replacements, window replacement; demolition of accessory structure.

Identification of Property

Emily Vanek made a staff presentation, including COA history, as well as changes in ownership. The new owners have been informed of the house’s COA history. The Atwell-Thompson House was built Ca. 1900, in the Frame Vernacular style. It is considered “Contributing” to the Brooklyn-South Square Local Historic District.

Staff Findings

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

- 1) The applicant has requested approval for the installation of the front door. The door is a wooden, oval lite door. This door was denied by HPC in 2020 because it did not meet Standards 3.3.8 and 3.3.10.
- 2) The applicant has requested approval for the installation of the back door. The door is a fiberglass sliding glass door. The door is not original to the house and is of a modern design. Standard 3.3.3 says to replace door with those that match the existing. Currently, there is no documentation on the original door.
- 3) The applicant has requested after-the-fact approval for the installation of new windows. The windows have vinyl sashes with wooden, simulated divided light panes. Standard 3.3.3 says to replace windows with those that match the original. Standard 3.3.8 states that vinyl is not an appropriate replacement for wooden windows and that snap-in muntins are not appropriate replacements for true-divided light windows.
- 4) The applicant has requested approval to demolish the accessory structure in the eastern side yard. The structure is in disrepair and is not original to the property. The demolition should follow Standard 6.5.2, and a record of the structure should be created and any salvageable materials should be recovered from the structure before demolition.

Staff Recommendations

Based on the preceding findings, staff recommends that the Commission approve H-37-2022 at the Atwell-Thompson House located at 509 East Fisher Street, within the Brooklyn-South Square Local Historic District (Parcel ID: 019 123), subject to the following conditions:

- 1) The applicant shall return to the Commission for approval for a front door and rear door that will be consistent with the architectural style of the house,
- 2) The windows shall be removed and wooden, true-divided light windows that match the original shall replace them.

Applicant Testimony

Mercedes Baque was sworn in. She testified that she is the contractor for the new owners, who purchased the house last year. She was not aware that the house was located in a local historic district when they began work, and that they are getting assistance from the Historic Salisbury Foundation in restoration. She stated that the door was already in place when the house was purchased.

In response to questions from the Commission, she stated that the windows were already there when she started work; she doesn't know if the original size of the windows was adjusted by the previous contractor.

The deck in the back looks new, no approval is on file, and no photos have been located to show the rear of the house.

Ms. Baque said the sliding glass door was installed to prevent people from using the house as shelter.

Public Comment

Steve Cobb was sworn in. He clarified that the property was previously acquired by HSF, and has covenants. He informed the Commission that the windows are the same size and location as the originals. Mr. Cobb is of the understanding that the deck was previously approved by HPC. He read a prepared statement in support of the request:

“I’d like to speak in support of the petition to install vinyl windows in 509 East Fisher St.

Historic Salisbury Foundation acquired this property many years ago, after the structure had suffered a fairly major fire. We sold the house to investors who promised to rehabilitate a structure on a timely basis. Unfortunately, this did not happen. The property languished in a boarded up condition for several years. Work had been done on the inside of the house, but the exterior remained in poor condition.

Recently, the owners hired a new contractor who pledged to expedite work on the structure. Because of the long lead time for custom wooden windows, HSF agreed to allow the use of high-quality vinyl windows in the house, with the stipulation that they be of the same style as the windows in the original structure (two over two vertical panels), that they have non-removable muntins, and that the exterior be trimmed with wide wooden boards and a projecting wooden sill. The windows that were chosen (and, against our advice, already installed) meet those conditions, and, in our opinion, look good and preserve the historic character of the house.

Regarding the other requests, HSF has no issue with the installation of the sliding glass patio door on the rear of the house. That part of the house cannot be seen from the street or the surrounding houses, and, in any case, the rear elevation of the house was destroyed to a great extent by the fire. HSF also supports the demolition of the carport structure, which was not original to the house and negatively affects the aesthetics of the rehabilitated structure. However, HSF would like the owners to find a front door (perhaps a salvaged one) that better matches the character of the house, and will aid them in doing so.

Thus, Historic Salisbury Foundation asks the Commission to approve the first three items in the COA, and allow staff to approve the alternative front door that the owners will procure.”

Michael Cotilla, Code Services Manager, was sworn in. Officer Cotilla testified that the house is currently on the City’s demolition list due to extensive fire damage, and that it sat vacant after the previous contractor stopped work.

Deliberation

Members agreed that the rear deck meets the Standards, and that it can be included in the findings. Emily verified that it was not included in the last order.

The majority of deliberation encompassed the windows issue. The Members discussed various mitigating factors, and agreed that the neighborhood would benefit from the house being stabilized.

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-37-2022

- 1) That **Mercedes Baque, agent for Coy Partners, LLC, owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **509 East Fisher 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 numbers 1-4 and incorporated herein; additional testimony was provided by Steve Cobb, agent for Historic Salisbury Foundation, who said he was in favor of the vinyl windows, the sliding glass door, and changing the front door. Michael Cotilla, agent for City of Salisbury, provided testimony that the house was on the City’s demolition roster.
- 3) The findings are subject to the two conditions recommended by staff and incorporated herein; the Commission is modifying them to include the rear sliding glass door, and rear window as approved. In addition, the rear deck, although not in the COA, is approved.”

Acey Worthy seconded the MOTION with all members present VOTING AYE (5-0)

Roll Call: Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action

Sue McHugh 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-37-2022 subject to the following conditions: the windows be converted to wood windows, that the sliding glass door, rear bathroom window, and the wood rear deck can remain, the front door shall be changed, and the demolition of the carport is approved.”

Acey Worthy seconded the MOTION with all members present VOTING (4-1)

Roll Call: Will James (AYE), Sue McHugh (AYE), Jon Planovsky (NO), Andrew Walker (AYE), Acey Worthy (AYE).

Acey Worthy made a motion to accept Steve Cobb back to the dais. All present approved.

H-38-2022, 730 South Fulton Street; Lori and Barry Myers, Owners/Applicants; (Parcel ID: 015 049)

Request

Replace side yard window with door and construct entry landing.

Identification of Property

Emily Vanek made a staff presentation. The Palmer-Reisner House is a bungalow, built in 1918, and 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 approval to replace a window with a door. The window is located on the north side elevation near the backyard and faces 722 South Fulton Street. The proposed door will not be visible from the street, as the wall of the structure moves inward. The applicant is currently seeking a door that matches the rest found of the house. Standard 3.3.8 says that it is not appropriate to introduce new doors if it would diminish the original design of the house or damage historic materials or features.
- 2) A wooden, 4’ by 4’ landing with two stairs will be constructed to lead from the backyard to the door. The existing privacy fence will be moved around the new landing, making the landing not visible from the street and therefore consistent with Standard 3.5.10. The landing should be stained a natural wood color to meet Standard 5.5.9.

Staff Recommendations

Based on the preceding findings, staff recommends that the Commission approve H-38-2022 at the Palmer-Reisner House located at 730 South Fulton Street, within the West Square Local Historic District (Parcel ID: 015 049), subject to the following condition:

- 1) The door to be installed shall match existing doors in style, material, and panel division. The applicant shall submit specifications to staff before installation.
- 2) The landing shall be stained a natural wood color.

Applicant Testimony

Barry Myers and Lori Myers were sworn in. They explained that there is no access to the backyard from inside the house, and that the side entrance will be difficult to maneuver as they get older. They also requested to extend a fence to meet the neighbor’s. It will not cover more than 2/3 of the house, and would screen the air conditioning unit.

Public Comment

None.

Deliberation

Members agreed the entry landing would be hidden from the street by the fence. The majority of the discussion centered on the location and height of the fence, as well as how to interpret the intent of height restrictions and placement.

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-38-2022**

- 1) That **Lori and Barry Myers, owners,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **730 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 numbers 1-2 and incorporated herein; the fence will be moved forward to cover the air conditioner, congruous with the neighbor’s fence; the deep setback of the fence does not affect the aesthetic of the property, mitigating Standard 4.4.7. The mitigating factor related to 3.3.10, regarding the proposed door to replace the window is the fact it is not visible from the street.
- 3) The findings are subject to the two conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the MOTION with all members present VOTING AYE (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

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-38-2022** subject to any conditions detailed in the Findings of Fact.”

Jon Planovsky seconded the MOTION with all members present VOTING (5-1)

Roll Call: Steve Cobb (NO), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

H-39-2022, 1008 North Main Street; Historic Salisbury Foundation, Owner/Applicant (Parcel ID: 003 290)

Jon Planovsky made a motion to recuse Steve Cobb from the dais. All members present approved.

Request

Demolition.

Identification of Property

Emily Vanek made a staff presentation including COA history. The C.L. Emerson House is classified as “Pivotal” to the North Main Local Historic District. It is a Victorian style house, built ca. 1900.

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 full demolition of the C.L. Emerson House located at 1008 North Main Street. This property is on the Code Enforcement demolition list because the house has failed to meet Salisbury's Minimum Housing Standards. HPC has the authority to delay demolition for up to 365 days to allow time for all alternatives to demolition to be considered (Standard 6.5.1). The demolition should follow Standard 6.5.2.

Staff Recommendations

Based on the preceding findings, staff recommends that the Commission approve H-39-2022 at the C.L. Emerson House located at 1008 North Main Street, within the North Main Street Local Historic District (Parcel ID: 003 290).

Applicant Testimony

Kimberly Stieg, Director of Historic Salisbury Foundation was sworn in. She read a prepared statement:

"Since 1972 it has been the mission of Historic Salisbury Foundation (HSF) to preserve, protect, and revitalize the historic fabric of Salisbury and Rowan County. The HSF staff and board of trustees are committed to serving out this vision and mission. The Foundation has saved over 100 historic buildings through an active revolving fund program. 1008 N. Main is one of those properties. After HSF acquired this home in 2017 we sold it to someone who wanted to work toward its restoration. Unfortunately, in early 2018 a fire damaged well more than 50% of the entire house, which we later learned was not insured. We immediately reached out to the homeowner and was told he wished to continue the process to rebuild. Although we believe good intentions, progress over the last four years has been incredibly slow despite numerous attempts by HSF and the City to assist through numerous measures that included flexibility in regards to code and covenant violations.

HSF has recently reacquired the property and we are thankful to be in apposition to take action on a site which has been an eyesore for the neighborhood for far too long. Our intent when purchasing was absolutely to do our best to save what remained of the structure. This is what we do. Upon closer inspection we discovered not only was most of the original historically significant fabric destroyed by the fire, but also damaged by the natural elements of years without a roof. The work that had been done was without first stabilizing the decaying foundation so it would all have to come down and rebuilt once the foundation was properly addressed. We called upon local experts who are not only highly skilled and experienced in the construction industry, but also have a broad depth of knowledge with historic buildings. All three opinions were the same...there had been such dilapidation and incorrect support to the foundation that to repair would not only be very expensive but more importantly the overall integrity of the remaining structure was no longer intact.

This changed everything. So we took the results back to the board of trustees. We searched for advisement through the eyes of professionals within the preservation arena, including Preservation North Carolina, to discuss the possibility of rebuilding from the ground up a home

that would be a near replica of the original home – in hopes to honor its history. Again, all three opinions were in agreement...that the new build would never be what had been lost and making such an attempt to duplicate would fall short and was ill-advised. We were told to consider the long negative impact this property has had on the neighborhood and despite the sincerest desire to save – by the previous owner and now HSF moving forward in a new way might be the best option.

The thought of demolition was not even a consideration until we got further into the process. We were now faced with expert opinion from people whom we trust that suggested that demolition may be the best decision in order to finally move forward.

A new direction is currently being explored that will allow HSF to collaborate and partner with another non-profit to build a new home on the site of 1008 N. Main. Both organizations agree the history of the property is important and will play a role in the new design. Incorporating the few remaining historic architectural elements, such as an interior spandrel, cast concrete porch columns, and interesting windows that are of high value and can provide inspiration for the overall aesthetic in a modern and practical approach. It will be a custom built home with historic references in the architecture and designed specifically for that beautiful corner lot. It will be a home that not only compliments the current streetscape, but also will be a standout residence.

The final, and very significant part of this project, would be to once again place covenants on the property to protect anything original that has been restored and reused, allowing the remaining bit of history to continue.

So, you can see it is with great effort, discussion, and thought we come to you. This is not a typical request, but is a unique situation that deserves an out-of-the-box approach. After careful consideration our board of trustees believe it to be in the best interest of our community and respectfully request the necessary demolition in order to move forward.”

In response to questions from the Commission, Ms. Stieg said they are requesting immediate demolition, and recounted HSF’s process in reaching their conclusion.

Public Comment

Stacie Freil was sworn in. She lives across the street from the house, and testified to the amount of work done by the prior homeowner. She supports any decision reached by the Commission.

Steve Cobb testified that the owner approached HSF for assistance in rebuilding, and explained their decision to acquire the house.

Deliberation

The Commission expressed dismay at the long history of problems related to the house.

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-39-2022

- 1) That **Steve Cobb and Kimberly Stieg, agents for Historic Salisbury Foundation, owner,** appeared before the Commission and sought a Certificate of Appropriateness for

the property located at **1008 North Main Street** and designated within the **North Main Street** Local Historic District.

- 2) The proposed project is **not incongruous** as detailed in the application and staff finding number 1 and incorporated herein; neighbor, Stacie Freil appeared, stating the history of construction at the property, and is in favor of any decision.
- 3) As an additional condition, the Board approves immediate demolition.”

Will James seconded the MOTION with all members present VOTING AYE (5-0)

Roll Call: Will James (AYE), Jon Planovsky (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Action

Sue McHugh 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-39-2022 subject to any conditions detailed in the Findings of Fact.”

Will James seconded the MOTION with all members present VOTING AYE (5-0)

Roll Call: Will James (AYE), Jon Planovsky (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

Andrew Walker made a motion to receive Steve Cobb back to the dais. All present approved.

H-40-2022, 103 South Main Street; Griffin Brothers Prop, LLC, Owner; Trent Griffin, Applicant; (Parcel ID: (105 519)

Request

Remove aluminum canopy and replace with signage.

Identification of Property

Emily Vanek made a staff presentation, including COA history. The property is a commercial building and is classified “Contributing” to the Downtown Local Historic District. It was built in the late 19th century.

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 remove the metal canopy above the storefront. **Standard 7.5.3** says to remove non-historic façade treatments whenever possible. The canopy will be replaced by the store’s signage, which was approved as a minor work in 2021.

Staff Recommendations

Based on the preceding findings, staff recommends that the Commission approve H-40-2022 at the commercial building located at 103 South Main Street, within the Downtown Local Historic District (Parcel ID: 105 519).

Applicant Testimony

Trent Griffin and Braxton Griffin were sworn in. They testified that water is leaking into the canopy and causing extensive damage to the building. They have approached 8 to 10 contractors, who all declined repair work. They feel it is best to remove the canopy so the building will match properties on either side.

Braxton Griffin displayed photos from the late 1800's to 1920 that showed the canopy was not original to the building, but rather installed as a marquee when it was the Victory Theater.

Public Comment

None.

Deliberation

Members had a spirited discussion regarding the quick decision to dismiss the integrity of the canopy, and whether the decision should be based on when the local district was created or the original build. So little of the original theater is left to speak to the use of the building.

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-40-2022**

- 1) That **Trent Griffin and Braxton Griffin, agents for Griffin Brothers Prop., owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **103 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; additional testimony was provided by Braxton Griffin on the inability to repair, and the damage done to the marquee is causing damage to the existing building itself. Photographs were provided."

Sue McHugh seconded the MOTION with all members present VOTING AYE (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

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-40-2022.**"

Sue McHugh seconded the MOTION with all members present VOTING AYE (6-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Andrew Walker (AYE), Acey Worthy (AYE).

WITHDRAWN - H-41-2022, 200 South Long Street; Bayhaven, Inc., Owner; Subrina and Greg Collier, Applicants

OTHER BUSINESS

Minor Works Report

The Minor Works report was approved.

Approval of Minutes

July 2022 minutes were approved as written by voice vote.

Quasi-Judicial Training

Quasi-judicial training will be conducted by the City Attorney on Thursday, August 25, at 4:00 pm in Council Chambers.

Local Historic Design Standards

Ms. Vanek will share the standards with Members for comments, then highlight changes for City Council in advance of the September 20 meeting for adoption.

Historic Preservation Incentive (HPI) Grant

The City is now accepting applications for the HPI grant, until September 16, 2022. Sue McHugh and Andrew Walker volunteered to serve on the committee.

Preservation Link

The newsletter has been sent out to property owners in the local historic districts.

CLG Certification

Ellie Goodnow and Will James will receive training for this certification.

Blockwork 2022

This year's Blockwork will take place in the Ellis Street Graded Local Historic District; the 500 block of West Council Street.

ADJOURNMENT

The meeting adjourned at 7:30 p.m. The next meeting will be held on Thursday, September 8, 2022.

Andrew Walker, Chair

Jennifer Pfaff, Secretary