



**Minutes
August 10, 2023**

The City of Salisbury Historic Preservation Commission met in a regular session at 5:30 p.m. on Thursday, August 10, 2023, in City Council Chambers at 217 South Main Street.

Present: Steve Cobb, Spencer Dixon, Ellie Goodnow, Will James, Sue McHugh, Marcelo Menza, Jon Planovsky

Absent: Larry Richardson, Jeff Richen

Staff Present: Graham Corriher, Emily Vanek

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the Chair, Sue McHugh.

PURPOSE AND PROCEDURE

The purpose and procedure of the meeting was presented by the Chair, Sue McHugh.

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

Steve Cobb recused himself from H-39-2023, and Ellie Goodnow recused herself from H-40-2023.

Emily Vanek was sworn in.

NEW CERTIFICATES OF APPROPRIATENESS

**H-34-2023, 116 East Steele Street, Thaddeus and Thanaporn Clutter, Owners/Applicants
(Parcel ID: 011 166)**

Request

Install 8' by 20' rear wooden deck, and replace wooden front door with new door.

Identification of Property

Emily Vanek made a staff presentation that included COA history. The Ralph Patterson House was built in the 1950's in the Minimal Traditional style, and is considered an "Intrusion" 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 construct an 8' by 35' rear wooden deck. The deck will be low and not have a railing. Standard 5.5.1. says to locate decks on the rear elevation. Standard 5.5.8. says to align the height of the deck to the floor height of the building. Standard 5.5.9. says that unfinished lumber is not an appropriate finished appearance of a deck.
- 2) The front exterior door is proposed to be replaced. Standard 3.3.3. says to replace doors only when necessary with new that match the original in size, material, and detail.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-34-2023 at the Ralph Patterson House located at 116 East Steele Street (Parcel ID: 011 166), within the North Main Street Local Historic District, subject to the following condition:

- 1) The deck shall be painted or stained a color appropriate to the house.

Applicant Testimony

Thaddeus Clutter was sworn in, and had no comments. He answered questions from the board regarding materials to be used in the construction of the deck and door. No railings will be used on the deck.

Public Comment

Gene Goetz was sworn in. He lives next door to the property. This house is listed as an intrusion to the district. Current owners have improved the property immensely; neighbors are grateful for the work they've done. Deck would be visible only from Mr. Goetz's yard, and he has no objection to the materials requested.

Deliberation

Concerns were broached as to the use of vinyl/composite materials. Standards require materials be compatible with the main building. The applicant said he would be amenable to using wood materials, but would need to discuss with his wife. The city requires a railing for a deck higher than 2 feet.

Members discussed the fact that the house is not an historic home, and considered an intrusion, as opposed to the goal of ensuring that all houses within a district adhere to the standards.

Findings of Fact-A

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-34-2023-A**

- 1) That **Thaddeus Clutter, owner**, appeared before the Commission and sought a Certificate of Appropriateness for the property located at **116 East Steele 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 2 and incorporated herein; Gene Goetz spoke in favor of the project.”

Spencer Dixon seconded the MOTION. All members present VOTED AYE (7-0), via voice vote.

Action-A

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-34-2023-A** subject to any conditions detailed in the Findings of Fact.”

Spencer Dixon seconded the MOTION. All members present VOTED AYE (7-0), via voice vote.

Findings of Fact-B

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-34-2023-B**

- 1) That **Thaddeus Clutter, owner**, appeared before the Commission and sought a Certificate of Appropriateness for the property located at **116 East Steele Street** and designated within the **North Main Street** Local Historic District.
- 2) The proposed project is **incongruous** as detailed in the application and staff finding number 1 and incorporated herein; Gene Goetz spoke in favor of the project.
- 3) Additional conditions include discovery of code requirements for deck railings, and drawings provided by the applicant.”

Spencer Dixon seconded the MOTION. All members present VOTED 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: **Table H-34-2023-B** to September 14, 2023, to gather additional evidence.”

Steve Cobb seconded the MOTION. All members present VOTED AYE (7-0), via voice vote.

H-37-2023, East Innes Street Alley, between 117 and 121 East Innes Street; Alyssa Nelson, Applicant (Parcel ID: 105 511)

Request

Replace concrete with vehicular brick; install steel grate cover over drain trough; install artwork and festoon lighting.

Identification of Property

Emily Vanek made a staff presentation. The alley is located in 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 to replace the concrete alleyway to vehicular-grade brick. Standard 4.2.11. says that appropriate paving materials include brick.
- 2) A decorative, steel grate cover is proposed to be installed over the trench along the building at 121 East Innes Street. Standard 5.3.1. says to use traditional materials that are commonly found in the district, such as metal, in new design elements.
- 3) Festoon lighting is proposed to be installed along the alleyway. Standards 4.3.3., 4.3.4., and 4.3.5. say to introduce subtle lighting that provides adequate safety to pedestrians and Standard 4.3.9. says to introduce traditional fixtures.
- 4) Artwork on removable panels are proposed to be installed on the wall of the building at 117 East Innes Street. Standard 4.6.3. says to select locations for wall-mounted art that are not important to the overall design and rhythm of the building, Standard 4.6.6. says to use durable materials, and Standard 4.6.8. says the method of attachment should be fully reversible. The artwork will be installed on a stucco wall with no significant features where the stucco can be repaired should the artwork be removed.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-37-2023 at the public alley between 117 and 121 East Innes Street, within the Downtown Local Historic District, subject to the one condition that mounting hardware for festoon lighting shall be installed through the mortar joints on the brick wall.

Applicant Testimony

Alyssa Nelson was sworn in. She is currently in the process of raising money for the project. This approval will assist in grant proposals.

In response to questions regarding artwork installation, Ms. Nelson said they would like to model it after the panels at Railwalk gallery, with a call for applications and celebration event hosted by

the Public Arts Commission. A \$2,000 grant is available to pay artist. The ultimate goal is to offer an outdoor revolving gallery.

Public Comment

Michael Young, owner of one of the adjacent buildings, approves of the project, and has been working intently with the City. In response to questions regarding the festoon lighting, he said that he would be supplying the lighting, as well as funding for electricity. His plan is to keep light intensity low and color temp low to protect residents who live in the building. Lighting will not hinder vehicles; truck height is limited already in alley, with a bar installed on the E. Innes entrance, and another can be added at the other end. Mr. Young verified the installation method for lighting.

Deliberation

The request meets the standards, as long as safety issues are addressed. Lighting matches other on Fisher Street, and members appreciated that the intensity will be addressed.

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-37-2023**

- 1) That **Alyssa Nelson, applicant,** appeared before the Commission and sought a Certificate of Appropriateness for the public alley located **between 117-121 East 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 1-4 and incorporated herein; Michael Young spoke in favor of the project, and clarified the lighting temperature and installation;
- 3) An additional condition regarding art installation is detailed in the application.”

Will James seconded the MOTION with all members present VOTING AYE (7-0), 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-37-2023** subject to any conditions detailed in the Findings of Fact.”

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

H-40-2023, 300 West Horah Street; William Tobey, Owner/Applicant; (Parcel ID: 010 081)

Jon Planovsky made a motion to recuse Ellie Goodnow from the dais. Spencer Dixon seconded the motion, and all members present voted AYE via voice vote.

Request

Install a mini-split AC unit on the carriage house, on the rear elevation.

Identification of Property

Emily Vanek made a staff presentation, including COA history. The Maxwell-Propst house, built 1852 and moved to its' present location in 1985, is classified as "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 install a mini-split AC unit on the carriage house accessory structure. The unit will be installed on the northern elevation of the structure and not visible from the right-of-way. The structure was built in 1991. Standard 3.7.8. says to install utility equipment in areas requiring the least amount of alteration to the appearance and materials of the building and Standard 3.2.6 says to locate mechanical equipment on non-character defining areas.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-40-2023 at the Maxwell-Propst House located at 300 West Horah Street (Parcel ID: 010 081), designated within the West Square Local Historic District.

Applicant Testimony

William Tobey was sworn in. Staff report speaks for itself, wonders why this request requires HPC approval, and is not a minor work.

Mr. Tobey clarified the location of the proposed unit. He also assured the board that the unit would be screened from view.

Public Comment

None.

Deliberation

Members agreed the request was acceptable.

Motion

Steve Cobb made a 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-40-2023

- 1) That **William Tobey, owner**, appeared before the Commission and sought a Certificate of Appropriateness for the property located at **300 West Horah 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.”

Spencer Dixon seconded the MOTION. The motion carried with all members present VOTING AYE (6-0), 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-40-2023** subject to any conditions detailed in the Findings of Fact.”

Spencer Dixon seconded the MOTION. The motion carried with all members present VOTING AYE (6-0), via voice vote.

Sue McHugh made a motion to reinstate Ellie Goodnow to the dais. Spencer Dixon seconded the motion, and all members present voted AYE via voice vote.

H-39-2023, Empire Block, 218-226 South Main Street; Downtown Salisbury, Inc., Owner; Eddie Belk, Applicant; (Parcel ID: 010 568)

Jon Planovsky made a motion to recuse Steve Cobb from the dais. Spencer Dixon seconded the motion, and all members present voted AYE via voice vote.

Request

Adaptive reuse project; Empire Block portion of building for review only. Front elevation: reintroduce pediments and cornices, remove wood panels above storefronts, replace bricked-in windows, restore storefronts. West Bank Street elevation: replace bricked-in windows and doors, create six terraces with fencing. Rear elevation: replace bricked-in windows and doors, improvements to south and central courtyards.

Identification of Property

Emily Vanek made a staff presentation, including COA history. Built in 1907, in the Beaux Arts style, the Empire Block Building is classified as “Pivotal” to the Downtown Local Historic District.

Staff Findings

Staff finds the following elements of the project to be **not incongruous** with the character of the Downtown Local Historic District and the Empire Hotel & Block – Montgomery Ward Department Store:

- 1) The applicant has requested approval for exterior and interior modifications to the Empire Block for the creation of three commercial units, six townhomes facing West Bank Street, five apartments, and seventeen hotel rooms or suites. The Empire Hotel and Montgomery Ward portions of the project will be reviewed at a later date. This project will also be reviewed by the State Historic Preservation Office.

Front elevation

- 2) The applicant has proposed restoration of three pediments, cornices, and roof decorative elements. Secretary of the Interior's Standards for Rehabilitation #6 says the replacement of missing features will be substantiated by documentary and physical evidence.
- 3) Bricked-in windows on the left side of the elevation will be reintroduced to match those on the right side. Standard 3.3.3. says to replace missing windows with those that match the original in size, proportion, pane division, material, and detail.
- 4) The damaged upper façade will be restored with matching brick, which is consistent with Standard 3.2.3. The Efir's ghost sign will be retained if possible, which is consistent with Standard 7.5.13.
- 5) Plywood and wooden façades that have been applied on the upper portions of the storefronts will be removed and storefronts will be restored. Standards 7.5.3. through 7.5.5. say to remove non-historic alterations to storefronts, renovate storefronts to match the historic storefront, and to base the design on historical evidence and match the original proportions and architectural elements.

West Bank Street Elevation

- 6) Bricked-in windows will be replaced. Standard 3.3.3. says to replace missing windows with those that match the original in size, proportion, pane division, material, and detail. Six windows will be lowered to create doorways. Standard 3.3.11. says to not introduce new doors if it would diminish the original design of the building. The new doorways will be on the side elevation and not affect any character-defining areas.
- 7) The sidewalks along West Bank Street will be extended. Granite curbing will be reused to line new sidewalk. Metal picket fencing will be installed to create six terraces. Standard 4.4.4. says to use a fencing design that is compatible with the historic building and the district.

Rear Elevation

- 8) Bricked-in windows and one doorway will be replaced with windows. Standard 3.3.3. says to replace missing windows with those that match the original in size, proportion, pane division, material, and detail.
- 9) The addition between townhomes facing West Bank Street and new apartments will be removed to create a southern courtyard. This addition was likely built in the 1950's. The rear wall will be retained and metal fencing and gate will be added to window and door openings. Standard 4.4.4. says to use a fencing design that is compatible with the historic building and the district.

- 10) Metal bars on windows will be removed on five windows. One doorway leading to new staircase will be added. Standard 3.3.11. says to not introduce new doors if it would diminish the original design of the building. The new doorway will be on the rear elevation and not affect any character-defining areas. The staircase enclosure will be partially visible from the rear parking lot, which is consistent with Standard 5.4.1.
- 11) Wooden addition will be removed and metal gate added to create central courtyard. Standard 4.4.4. says to use a fencing design that is compatible with the historic building and the district.

Interior

- 12) Interior features that are included in the Local Historic Landmark designation in the Empire Block include second floor baseboards, operable transoms, and skylight. These features will be retained and repaired as needed, which is consistent with the Secretary of the Interior's Standard #5.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-39-2023 at the Empire Block located at 220-228 South Main Street (Parcel ID: 010 568), designated within the Downtown Local Historic District and as a Local Historic Landmark – Property, subject to the following condition:

- 1) Applicant shall be required to obtain all other permits or approvals required by local, state, and federal law.

Applicant Testimony

Eddie Belk was sworn in. Mr. Belk made a presentation including his company's information and work. He reviewed the details of the project and history of the building for the board.

He assured the board that they will meet NC State Historic Preservation Office requirements and standards. The extended sidewalk on Bank Street will have permits acquired when time for that.

In response to questions regarding windows, Mr. Belk assured the board they would be keeping as many as possible. Any food service retail tenants will have the appropriate safety precautions.

Brett Krueger, developer of the project, was sworn in. He commented that LED lighting is meant to accept architectural aspects of the building. It can be programmed to correspond with local events/seasons.

Mr. Belk clarified the scope of the project that the board is currently considering for this case.

Public Comment

None.

Deliberation

Members were comfortable with the presentation and project specifications.

Motion

Spencer Dixon made a 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-39-2023

- 1) That **Eddie Belk, agent for Downtown Salisbury, Inc., owner,** appeared before the Commission and sought a Certificate of Appropriateness for the property located at **220-228 South Main Street** and designated within the **Downtown** Local Historic District **and as a Local Historic Landmark - Property.**
- 2) The proposed project is **not incongruous** as detailed in the application and staff finding number 1-12 and incorporated herein; Brett Krueger spoke on behalf of the project.”

Jon Planovsky seconded the MOTION. The motion carried with all members present VOTING AYE (6-0), 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-39-2023** subject to any conditions detailed in the Findings of Fact.”

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

Sue McHugh made a motion to reinstate Steve Cobb to the dais. All members present voted AYE via voice vote.

HL-03-2023, 229 West Bank Street; Frank Labagnara and David Garling, Owners; Karen Lilly-Bowyer, Applicant; (Parcel ID: 010 165)

Request

Local Historic Landmark property pre-application.

Identification of Property

Emily Vanek made a staff presentation, including local historic landmark criteria. The Andrew Murphy house, built in 1854, in the Greek Revival style, is classified as “Contributing” to the West Square Local Historic District.

Local Historic Landmark Criteria

Local Historic Landmark—Property (LHL-P): A building, structure, site, or object, which may or may not be listed on the National Register of Historic Places, and is an outstanding example of a historic resource and is intended to be recognized for its architectural integrity. In addition to

documented special significance, these properties maintain the highest degree of integrity and are further recognized for their rarity among properties in Salisbury.

Criteria to Establish a Local Historic Landmark Overlay.

Special significance

- Criterion A: Association with events that have made a significant contribution to the broad patterns of our history.
- Criterion B: Association with the lives of significant persons in our past.
- Criterion C: Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- Criterion D: Yield or may be likely to yield, information important in history or prehistory.

Integrity

- Location: Where the historic property was constructed or the place where the historic event occurred.
- Design: The combination of elements that create the form, plan, space, structure, and style of a property.
- Setting: The physical environment of a historic property.
- Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- Feeling: The property's expression of the aesthetic or historic sense of a particular period of time.
- Association: The direct link between an important historic event or person and a historic property.

Criteria to Designate as a Local Historic Landmark—Property (LHL-P)

- The proposed property must be found to have special significance for its historical, prehistorical, architectural, or cultural importance in at least one of the special significance criterion, as defined in this section.
- The proposed property must be found to have integrity in all seven aspects.

HPC Action

The commission should consider whether the Andrew Murphy House is likely to qualify as a Local Historic Landmark – Property.

Applicant Testimony

Karen Lilly-Bowyer made a presentation for the board, describing the features of the house's architecture and history.

Public Comment

None.

Deliberation

Members were pleased to hear about the history and architecture of the house.

Motion

Will James made a MOTION, “I move that the Commission find that the Andrew Murphy House at 229 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.”

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

OTHER BUSINESS

African American History in Rowan County

Evin Burleson, Executive Director of the Rowan Museum, gave a presentation on African American history in Rowan County.

Committee Reports

Grants Committee

HPI grant applications are open, and due September 15, 2023.

Cultural Preservation Committee

Members received an update on the last meeting.

Minor Works Report

Jon Planovsky made a motion to approve the Minor Works report. Spencer Dixon seconded the motion. All members present voted AYE.

Approval of Minutes

Jon Planovsky made a motion to approve the July, 2023 minutes. Spencer Dixon seconded the motion. All members present voted AYE.

ADJOURNMENT

The meeting adjourned at: 9:15 pm. The next meeting will be held on Thursday, September 14, 2023, in City Council Chambers.

Sue McHugh, Chair

Jennifer Pfaff, Secretary