

DRAFT

DRAFT

1  
2  
3 **Minutes of the**  
4 **New Bern Historic Preservation Commission**  
5 **July 28, 2010**

6 The New Bern Historic Preservation Commission (HPC) held a special called meeting on  
7 Wednesday, July 28, 2010, in the Planning and Inspection Courtroom of City Hall, 300 Pollock  
8 Street.

9  
10  
11 **Members Present:** Jack Morton, Jr., Chair Peter Adolph, Vice-chair  
12 Rich Frye Johnny Harrison  
13 Richard Parsons Peggy Broadway  
14

15 **Members Excused/Absent:** Karen Britton (E); Bradley Cummins (E); Jay Heck (A)  
16

17 **Staff Present:** Annette Stone, AICP, City Planner  
18 Leigh Anne Friesen, AICP, Volunteer  
19

20 The meeting was opened and roll call was taken. A quorum was present. No past minutes were  
21 read. Chairman Morton discussed the function and qualifications of the Historic Preservation  
22 Commission and its members. Witnesses were sworn in.  
23

24 **Witnesses Sworn:** Jerry Hobbins, Charles Dettor, Stevie Bennett, Allison Platt, Susan Moffat-  
25 Thomas, Nancy Hollows, Terry Startzman, Nelson McDaniel, Katherine Adolph, Ann Frye,  
26 Janet Latham, Judy Harkin, and others.  
27

28 **New Business**  
29

30 **1. Consider COA for Swiss Bear Downtown Development Corporation for development of**  
31 **a new park at the end of Broad Street on the waterfront.**  
32

33 **Staff Comments:** Staff Annette Stone gave a review of the project. She discussed the history of  
34 the project. Then she showed a video of the site and noted that the key issue to consider is the  
35 viewshed of the city-owned property. She said the sculpture is 28 feet tall. The proposed project  
36 includes a brick entry wall. Due to the possibility of a utility construction project toward the rear  
37 of the property (waterside), the applicant is proposing to complete the park in two phases.  
38

39 **Applicant's Comments:** Allison Platt, of Allison Platt and Associates, discussed the proposed  
40 project. She gave a brief description of the possible water and sewer work that may occur at the  
41 rear of the site that was the impetus for the addition of a Phase II to the park. She then presented  
42 a powerpoint presentation that detailed the "thinking process" of the proposed park design. She  
43 noted that the materials will be similar to that of the existing waterfront materials, including red

44 brick and exposed aggregate rock.

45

46 **Public Comments:** *Terry Startzman*, 212 Change Street, expressed his appreciation to Dr. Jim  
47 Congelton for his contribution of the spider lily sculpture. He believes the Broad Street terminus  
48 is a good location for viewing of the sculpture. He inquired as to which application would be  
49 voted on by the Commission. He asked about the new plant materials that were introduced on  
50 the landscaping plan, and whether or not the traffic circle is included in the current application.  
51 He agreed that the key view is the corridor to the water. He was concerned that the density of  
52 the proposed trees and shrubs as well as the brick wall would too much obscure the sculpture.  
53 He also inquired about the height and design of the proposed wind turbines. *Jerry Hobbins*, 229  
54 New Street, inquired about the body that approves the public art to be displayed in the city,  
55 especially the piece proposed for the traffic circle. He doesn't think the traffic circle is an  
56 appropriate location for a sculpture. He asked about documentation of the height of the spider  
57 lily sculpture. He thinks the 5 foot tall entry wall proposed for the park would too much obscure  
58 the water view. Inquired as to which landscaping plan is to be considered tonight, because he is  
59 concerned about the amount of maintenance required for scrubs versus grass. He believes the  
60 sculpture is too tall, elaborate, and exciting to be at the proposed location. *Nelson McDaniel*,  
61 214 New Street, noted that this site is compromised by the number of existing and proposed  
62 utilities. He favors the proposed park as an improvement over the existing site, but admits the  
63 design is challenging. While some may be concerned about the modern nature of the proposed  
64 sculpture, he emphasized that the joy of the downtown historic district is its eclectic nature. It is  
65 not a museum, frozen in time, but an ongoing representation of many time periods and designs  
66 over the last 300 years. The sculpture is also appropriate in that it represents a part of the  
67 botanical history of New Bern. *Katherine Adolph*, 210 Metcalf Street, supports the plan and  
68 encourages the planting of trees for shade that will draw people to the park. *Ann Frye*, 406  
69 Queen Street, thinks the pine trees should stay along the waterfront to continue screening the  
70 existing utilities. She asked about the electricity needs in the park that would use power from the  
71 proposed wind turbines. She is concerned about the visual effect of too much art at the terminus  
72 of Broad Street. *Janet Latham*, 1301 National Avenue, wants to keep as much of the river view  
73 open as possible. She thinks the height of the wall is too much for pedestrian-level viewing.  
74 *Charles Dettor*, 107 Queen Street, inquired about the details of the wind turbines (safety, design,  
75 etc.). Otherwise, he expressed a concern that the park be safe overall, especially after dark. *Judy*  
76 *Harkin*, 509 Johnson Street, said she thought the current landscaping plan is more appropriate  
77 than previously. She agreed that she didn't want to lose the view of the water, and inquired  
78 about the noise of the proposed wind turbines. *Nancy Hollows*, 626 Hancock Street, stated she  
79 believes this is a fabulous project. She is concerned about the height of the entry wall, and the  
80 addition of art to the traffic circle as being a distraction from the spider lily sculpture. *Stevie*  
81 *Bennett*, 1312 National Avenue, inquired about the mature height of the types of trees proposed.  
82 She expressed a concern about the uncertainty of the number of benches given that it will be  
83 driven by the number of donors acquired. She also mentioned some question as to the property  
84 ownership of the proposed site of the park. *Annette Hunt*, 515 Broad Street, is very excited about  
85 the proposed sculpture and feels like it will be the icing on the "cake" of Broad Street  
86 renovations. She also emphasized that all New Bernians should work on learning the correct  
87 name of the flower represented by the sculpture, "Lycoris radiata" or "Spider Lily". She noted

88 also that the roundabout may not be the best place for art as it might go away in the future.

89  
90 **Discussion by the Commission:** The Commissioners discussed issues such as the strong  
91 support of the Commission for the spider lily sculpture and the gratefulness of Dr. Congelton’s  
92 generous donation, proposed changes to the traffic circle to accommodate a piece of sculpture  
93 art, the size of the tree canopy, the temporary or permanent nature of the proposed screening  
94 fence at existing utility drive, the belief that the park should enhance—not detract from—the  
95 view of the river, the proposed timelines for both phases, the height of the entry wall, the initial  
96 height of the rear screening trees, the guidelines’ mandate not to obscure water views and the  
97 concern about the level of view blockage that will result from the proposed fences, trees, and  
98 wall.

99  
100 **Finding(s) of Fact:** Commissioner Adolph moved to find the application congruous with the  
101 Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required;  
102 Section 15-429 Review Criteria, citing the following guidelines: “Parks and Public Spaces”,  
103 page 81, guideline(s)#1-3, 6; “Fences and Garden Walls”, pages 82-83, guideline(s)#4-6, 12; and  
104 “Landscaping”, pages 77-80, guideline(s)#2, 4, 5, 7, 12, 16. Commissioner Morton seconded the  
105 motion. During the discussion, conditions were added to reduce the size of the brick entry wall  
106 from five to four feet, not to plant screening trees at the rear if future utility project is uncertain,  
107 to limit the number of proposed benches to ten and make the final number, location, and design  
108 subject to staff approval, not to remove the existing screen of pine trees, and to forego the  
109 proposed piece of art for the traffic circle.

110  
111 Upon a call for a vote, all Commissioners voted in favor of the motion except Commissioners  
112 Parsons and Broadway. Motion passed.

113  
114 **Statement(s) of Reason:** (1) The proposed park is on City-owned property which terminates at  
115 the Neuse River; (2) There are existing trees and utilities on the site; (3) The proposed park  
116 design utilizes public art as a focal point; (4) The proposed park design includes brick walls,  
117 wood fencing, brick pavers, trees and other plantings to delineate the park and frame the piece of  
118 art.

119  
120 **Condition(s):**

- 121 1. Brick wall entering the park should not exceed four feet in height.
- 122 2. Eliminate approximately four trees surrounding the sculpture and the six foot wooden
- 123 fence to protect the view of the river from Broad Street.
- 124 3. Remove a portion of the pines and wax myrtle at the bulkhead to provide for a view of
- 125 the sculpture from the Neuse River.
- 126 4. Eliminate the proposed wind turbines.
- 127 5. Eliminate the proposed rear screening trees.
- 128 6. Limit number of benches to 10, but return to Staff with final number, design, and
- 129 placement.
- 130 7. Eliminate proposed piece of art from the traffic circle.
- 131 8. Return to the Commission if any changes occur to either phase of the project.

DRAFT

DRAFT

132

133 **Motion:** Commissioner Adolph moved to issue the COA, seconded by Commissioner Frye.  
134 Upon a call for a vote, all Commissioners voted in favor of the motion except Commissioners  
135 Parsons and Broadway. Motion passed.

136

137

138 There being no further business the meeting was adjourned.

139

140

141 \_\_\_\_\_  
Jack Morton, Chair

142

\_\_\_\_\_  
Annette Stone, AICP  
Commission Administrator