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**Minutes of the
New Bern Historic Preservation Commission
February 20, 2013 (Approved 3/20/13)**

8 The New Bern Historic Preservation Commission (HPC) held a regular meeting on Wednesday,
9 February 20, 2013, in the second floor courtroom of City Hall, 300 Pollock Street.

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Members Present:	Nancy Gray	Peggy Broadway
	Peter Adolph	Richard Parsons
	Rich Frye	Jan Giordano
	Mickey Miller	

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Members Excused (E)/Absent (A): Tim Thompson (E)

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Staff Present: Kevin Robinson, AICP, City Planner
Bernard George, AICP, Planning Division Manager

18 The meeting was opened and roll call was taken. A quorum was present. Witnesses were sworn
19 in. Commissioner Miller moved, and Commissioner Parsons seconded that the reading of the
20 minutes be waived. The motion passed unanimously. Commissioner Parsons moved, and
21 Commissioner Adolph seconded, that the minutes be approved as amended. The motion passed
22 unanimously.
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New Business

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1. Consider proposed major exterior alterations to 425 Pollock St. (First Baptist Church – Britt Warren) to include the installation of covered walkways in the secondary and tertiary portions of the property.

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Staff Comments: Staff Kevin Robinson discussed the application and briefed the project. He showed the proposed plans on the document camera and reviewed the Staff Recommendations.

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Applicant Comments: NONE. Applicant was not present.

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Public Comments: *Stevie Bennett*, 1312 National Avenue, questioned why the applicant was not present, and asserted that the application should not be heard, but instead tabled until the applicant can be present to answer questions. She expressed a desire to avoid the pitfalls of too many assumptions by the Commission as evidenced in the case of the 406 Avenue A fence.

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Discussion by the Commission: The Commissioners confirmed the application was complete. They discussed issues including the look and details of the columns in the project, as well as the fact that without the applicant present, it is hard to fully understand the project plans.

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Motion: Commissioner Gray moved to table the COA, seconded by Commissioner Miller. All Commissioners voted in favor of the motion.

45 **2. Consider proposed major exterior alterations to 212 E. Front St. (Marriott Courtyard –**
46 **David McLamb) to include new materials for dumpster screening in a primary area of the**
47 **property, changes to driveway hardscaping and major signage changes.**
48

49 **Staff Comments:** Staff Kevin Robinson discussed the project description and reviewed the
50 Staff Recommendations.

51
52 **Applicant Comments:** Mr. McLamb noted that the franchise change has necessitated the
53 signage upgrades.

54
55 **Public Comments:** *Stevie Bennett*, 1312 National Avenue, questioned whether or not a fence
56 surrounding a dumpster needed a building permit.

57
58 **Discussion by the Commission:** The Commissioners confirmed the application was complete.
59 They discussed issues including the brightness of the sign, whether or not the post is illuminated,
60 the material of the structure to surround the dumpster, the need to review the landscaping
61 proposals now or later, the presence of trees in the median, the design and color of the stamped
62 concrete, the inappropriateness of the use of faux stone in large quantities, though proposed use
63 in this case is limited and appropriate for this building.

64
65 **Finding(s) of Fact:** Commissioner Parsons moved to find the application congruous with the
66 Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required;
67 Section 15-429 Review Criteria, citing the following guidelines: “Utilities”, pages 47-48,
68 guideline(s)#1; “Fences and Garden Walls”, guideline(s)#5, 11; “Driveways and Off-Street
69 Parking”, pages 88-89, guideline(s)#1-2, 8; “Signage”, pages 90-92, guideline(s)#1, 4-5, 7-8.
70 Commissioner Adolph seconded the motion. Upon a call for a vote, all Commissioners voted in
71 favor of the motion. Motion passed unanimously.

72
73 **Statement(s) of Reason:** (1) New placement of the dumpsters is needed; (2) Driveway
74 materials are appropriate; (3) The property is non-contributing to the District.

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76 **Condition(s):** NONE

77
78 **Motion:** Commissioner Parsons moved to issue the COA, seconded by Commissioner Miller.
79 All Commissioners voted in favor of the motion.

80
81 **3. Consider proposed major exterior alterations to 508 Metcalf St. (John and Bethanne**
82 **Jacobson) to include the restoration of an open porch in tertiary portion of structure,**
83 **installation of driveway(s) in the primary area of the property, and installation of a new**
84 **roof.**

85
86 **Staff Comments:** Staff Kevin Robinson reviewed the Staff Recommendations.

87

88 **Applicant Comments:** Property owners Bethanne and John Jacobson presented the project.
89 They showed pictures of the property and discussed the design elements and project materials.
90

91 **Public Comments:** *Buzz Mead*, 517 Johnson Street, commented that the proposed project is a
92 terrific improvement, and that off street parking would enhance the property as on-street parking
93 is problematic.
94

95 **Discussion by the Commission:** The Commissioners confirmed the application was complete.
96 They discussed issues including the desire for a roof sample, the width of the seam proposed, the
97 need for the roofing material to be perfectly smooth from seam to seam, the necessity of tree
98 removal and how this will be handled administratively, whether the trees removed will be
99 replaced, the material proposed on either side of the driveway, the congruousness of the screen
100 sample provided over that of Mr. Jacobson's drawings (simple is best), the nature of the smaller
101 landing on the modified back porch, the need for the porch removal to be a part of the
102 application, and the need for a roof sample before the building permit is issued.
103

104 **Finding(s) of Fact:** Commissioner Parsons moved to find the application congruous with the
105 Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required;
106 Section 15-429 Review Criteria, citing the following guidelines: "Roofs", pages 17-21,
107 guideline(s)#2, 5-6; "Driveways and Off-Street Parking", pages 87-88, guideline(s)#2-3, 8;
108 "Exterior Entrances and Porches", pages 34-37, guideline(s)#1-2, 4, 9-10, 13. Commissioner
109 Adolph seconded the motion. Upon a call for a vote, all Commissioners voted in favor of the
110 motion. Motion passed unanimously.
111

112 **Statement(s) of Reason:** (1) The roof and porch are each original and plans congruous to the
113 Guidelines; (2) The roof materials are compatible; (3) Installation of driveways is permissible for
114 accessibility and will require removal of two trees on site.
115

116 **Condition(s):**

- 117 • Applicant must return to Staff with a sample of the proposed roofing material;
- 118 • The screened porch should be framed in the simplest way, like the example shown on the
119 top of page 10 of the application.
120

121 **Motion:** Commissioner Miller moved to issue the COA, seconded by Commissioner Parsons.
122 All Commissioners voted in favor of the motion.
123

124 **4. Consider proposed major exterior alterations at 609 Pollock St. (Tryon Palace –Philippe**
125 **Lafargue) to include the installation of a replacement fence in secondary portion of the**
126 **property.**
127

128 **Staff Comments:** Staff Kevin Robinson discussed the application and reviewed the Staff
129 Recommendations.
130

131 **Applicant Comments:** Philippe Lafargue, Tryon Palace Deputy Director, presented the project.

132 **Public Comments:** NONE

133
134 **Discussion by the Commission:** The Commissioners confirmed the application was complete.
135 They discussed issues including whether or not the rear fence would be painted, and why they
136 are switching pickets.

137
138 **Finding(s) of Fact:** Commissioner Gray moved to find the application congruous with the
139 Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required;
140 Section 15-429 Review Criteria, citing the following guidelines: “Fences and Garden Walls”,
141 pages 82-83, guideline(s)#4-6, 8. Commissioner Parsons seconded the motion. Upon a call for a
142 vote, all Commissioners voted in favor of the motion. Motion passed unanimously.

143
144 **Statement(s) of Reason:** (1) The placement of the fence and wall is appropriate.

145
146 **Condition(s):** NONE

147
148 **Motion:** Commissioner Adolph moved to issue the COA, seconded by Commissioner Miller.
149 All Commissioners voted in favor of the motion.

150
151 **5. Consider proposed major exterior alterations at 604 E Front St. (John Reed) to include**
152 **landscaping, hardscaping, installation of fence and other changes.**

153
154 **Staff Comments:** Staff Kevin Robinson discussed the application and reviewed the Staff
155 Recommendations.

156
157 **Applicant Comments:** John Reed of Reed Landscaping described the project, including both
158 hard- and soft-scaping.

159
160 **Public Comments:** *Stevie Bennett*, 1312 National Avenue, asked that if the metal fence being
161 replaced is truly wrought-iron to please donate it to the New Bern Preservation Foundation.

162
163 **Discussion by the Commission:** The Commissioners confirmed the application was complete,
164 though the drawings were somewhat confusing. They discussed issues including confusion over
165 which pictures go with which drawing, the need for firm proposals instead of “similar” designs,
166 how the pickets attach to the brick wall, what holds the bottom of the pickets, the incompleteness
167 and lack of specificity of the drawings of the front gate, the style, width, design, and finish of
168 proposed pickets, the importance of the primary area of visual concern, the presence of a
169 structural post on the front fence drawings, the need to table the application until the
170 Commission receives more specific and accurate fence drawings showing the larger posts, the
171 dimensions of the pickets, whether or not the pickets will be “piercing”, as well as more accurate
172 fireplace drawings. In addition, the Commission discussed the fate of the existing south wall, as
173 well as its height and design; the fate of the existing northern brick lattice wall; whether or not
174 the rear rendering is to scale, discrepancies in the chimney rendering, and where in the District

175 one might find examples of the design that the applicant is proposing for the north wooden post
176 fence.

177
178 **Motion:** Commissioner Parsons moved that there was not sufficient information to make a
179 determination whether or not the fence design was congruous and requested more specific detail
180 on the fence and the fireplace installation. Commissioners voted to postpone.

181
182 **6. Consider proposed new construction at 603-605 Hancock St. (Sarah Afflerbach) for a**
183 **single family residential home.**

184
185 **Staff Comments:** Staff Kevin Robinson noted that the guidelines to be used to evaluate this
186 project are those of “New Construction”. He then reviewed the Staff Recommendations.

187
188 **Applicant Comments:** Architect Sarah Afflerbach oriented the audience to the site. She
189 discussed proposed setbacks, fencing, off-street parking and garage, fenestration, and examples
190 of proposed details.

191
192 **Public Comments:** *Stevie Bennett*, 1312 National Avenue, inquired about samples of the
193 proposed brick, fencing and shutters. *Darryl Wiedmann*, 521 & 615 Hancock Street, encouraged
194 the Commission to evaluate the project by keeping in mind the mixed use nature of the block and
195 to look at the project broadly, not getting too bogged down in details. He approves of the
196 architect, builder and commends the owners for their patience in finding a design that is
197 congruous with the District and block. *John Briggs*, 603-605 Hancock Street, owns the property
198 in question and appreciates the suggestions of the Commission. He has spent 19 years in New
199 Bern. *Judy Harkin*, 519 Johnson Street, loves New Bern and the Historic District, and is not
200 opposed to New Construction, however she wants it to be congruous with the Guidelines. She
201 cited guidelines she feels are not met by the proposed plans. *Buzz Mead*, 517 Johnson Street, is
202 pleased with the plans and the garage location, as off street parking is needed. He supports Mr.
203 Wiedmann’s comments concerning the varied uses (and therefore architectural designs) of
204 properties on that block. He approves of the plans. *Nikki Ingianni*, 210 New Street, asks the
205 Commission to apply the Guidelines, whether or not the public approves of the design. *Duncan*
206 *Harkin*, 519 Johnson Street, thinks the design (particularly the detached garage in a secondary
207 area of visual concern) is more appropriate for the suburbs. Letters received by the Planning
208 Department include that of Terry Early, 601 Hancock Street, saying he prefers the original
209 positioning of the house across both lots to the current design. *Sylvia Whitford*, 604 Hancock
210 Street and *Neil Whitford*, owner of 606 Hancock Street both are not in opposition of the current
211 design.

212
213 **Discussion by the Commission:** The Commissioners confirmed the application was complete.
214 They discussed issues including the lack of concern over a retractable gate as there is another
215 example further down Hancock Street at New Street, the appropriateness of the current garage
216 placement, the scale of the garage, the appropriateness of painted masonry on modern
217 construction, the sheathing material, the placement of the house on one lot, the history of the
218 buildings on this property, the appropriateness of the mass of the project, the heights of other

219 buildings surrounding this property, an example of a large driveway and detached out-building at
220 521 Hancock Street, the nature of the garage for the New Construction property at the corner of
221 Hancock and Johnson Streets, the type of fencing material proposed, the fate of the cement stub
222 wall from the former Pepsi plant, the alignment of the front fence on Hancock Street, the
223 operability of the shutters, the superb design that responds well to Commission comments and
224 suits the neighborhood.

225
226 **Finding(s) of Fact:** Commissioner Gray moved to find the application congruous with the
227 Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required;
228 Section 15-429 Review Criteria, citing the following guidelines: “Residential New
229 Construction”, pages 65-72: Placement, guideline(s)#1-6; Scale, guideline(s)#1-6; Materials,
230 guideline(s)#1, 3-4; Details, guideline(s)#1-3,5; Texture, guideline(s)#1-2; and Form and
231 Rhythm, guideline(s)#1-4; “Site and Setting”, pages 77-89, guideline(s)#??; “Fences and Garden
232 Walls”, guideline(s)#4-6, 8; “Outbuildings”, guideline(s)#5; “Driveways and Off-Street
233 Parking”, guideline(s)#3, 5; “Exterior Lighting”, guideline(s)#1-10. Commissioner Parsons
234 seconded the motion. Upon a call for a vote, all Commissioners voted in favor of the motion,
235 save Commissioner Broadway, who abstained.

236
237 **Statement(s) of Reason:** (1) The fenestration and additional changes are appropriate; (2) New
238 material, details, and textures are appropriate; and (3) Heights, mass and building placement are
239 appropriate.

240
241 **Condition(s):**

- 242 • Landscaping and Utilities Plan will need to return for a future approval process

243
244 **Motion:** Commissioner Adolph moved to issue the COA, seconded by Commissioner Gray. All
245 Commissioners voted in favor of the motion, save Commissioner Broadway, who abstained.

246
247 **7. Consider proposed major exterior alterations to 224-230 Middle St. (Sarah Afflerbach)**
248 **to include installation of shutters and sidewalks in the tertiary portion of the property.**

249
250 **Staff Comments:** Staff Kevin Robinson described the project and reviewed the Staff
251 Recommendations. Chief Building Inspector, Johnny Clark mentioned the additional issue of the
252 need to address the masonry wall and south windows.

253
254 **Applicant Comments:** Architect Sarah Afflerbach noted that the applicant’s goal is to do make
255 the required changes to come off the Prevention of Demolition by Neglect list. This includes
256 adding decorative shutters to the rear boarded up windows, adding sidewalks of a described
257 activity across the rear of the private property.

258
259 **Public Comments:** *Stevie Bennett*, 1312 National Avenue, inquired if the owner is accruing a
260 \$50/day fine. *Nancy Hollows*, 4438 Rivershore Drive, was sworn in as she arrived late. She
261 inquired as to the fate of the plywood currently boarding the windows, the style and material of
262 the proposed shutters, and the need to keep the building water tight. Later in the discussion,

263 implored the Commission not to approve this application that just dresses up the back of the
264 building, but approve one that addresses the water deficiencies first.
265

266 **Discussion by the Commission:** The Commissioners discussed issues including the state of the
267 roof, the status of brick re-pointing, the interior nature of one wall before a section of the
268 building was removed, how the shutters will be installed to prevent water intrusion, the issues
269 seen by the Prevention of Demolition by Neglect subcommittee (lack of integrity of lower right
270 rear brick, as well as that of the brick/wood combo of the formerly interior wall, and water
271 damage on downspout and stress cracks on interior corner), the need to table the application until
272 more information can be determined about the interior of the building, the importance of using
273 resources to shore up the building instead of adding cosmetic fixes, the best way to address
274 plywood and any original windows behind it, the nature of the rear “addition” of the interior
275 corner, the possibility of denying the application and have the Chief Building Inspector to
276 investigate inside and out of the building to deal with the water issues, the questionable
277 congruousness of the proposed shutters, the abiding need to improve the appearance of the rear
278 of the building, the ability to approve sidewalk as a minor work, the desire to not charge a fee for
279 a future application to be submitted after a study of the state of the windows, and that the
280 proposed treatment of the windows isn’t protective or helpful to the building.
281

282 **Finding(s) of Fact:** Commissioner Parsons moved to find the application incongruous with the
283 Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required;
284 Section 15-429 Review Criteria, citing the following guidelines: “Windows and Doors”, pages
285 28, guidelines 8,9. and “Maintenance and Repair”, Pages 37-39, guidelines 1-3. Commissioner
286 Gray seconded the motion. Upon a call for a vote, all Commissioners voted in favor of the
287 motion. Motion passed unanimously.
288

289 **Statement(s) of Reason:** Significant and material damage will be caused by the addition of
290 proposed shutters.
291

292 **Condition(s):** NONE
293

294 **Motion:** Commissioner Parsons moved that no COA be issued citing the need for more
295 information on the conditions of building due to water damage. Seconded by Commissioner
296 Miller. All Commissioners voted in favor of the motion.
297

298 **8. Consider proposed major exterior alterations to 407 Hancock St. (Sarah Afflerbach) to**
299 **include the enlargement of a porch in the tertiary portion of the property.**
300

301 **Staff Comments:** Staff Kevin Robinson described the project.
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303 **Applicant Comments:** Project Architect Sarah Afflerbach discussed the porch enlargement, as
304 well as the rear door style and roof style, plus proposed materials.
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306 **Public Comments:** NONE

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Discussion by the Commission: The Commissioners discussed issues including roof ridges as represented on the plans, as well as the visibility and pitch of the roof.

Finding(s) of Fact: Commissioner Parsons moved to find the application congruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: “Exterior Entrances and Porches”, pages 21-22, guideline(s)#5-9. Commissioner Adolph seconded the motion. Upon a call for a vote, all Commissioners voted in favor of the motion. Motion passed unanimously.

Statement(s) of Reason: Project plans are congruous with the Guidelines

Condition(s): NONE

Motion: Commissioner Parsons moved to issue the COA, seconded by Commissioner Miller. All Commissioners voted in favor of the motion.

9. Consider proposed streetscape improvements to the 200-400 blocks of S. Front St. (City of New Bern – Matt Montanye) for the installation of brick sidewalk pavers, trees, lighting and other alterations.

Staff Comments: Staff Kevin Robinson discussed the application and reviewed the Staff Recommendations.

Applicant Comments: Staff Robinson presented the project on behalf of the City.

Public Comments: *Stevie Bennett*, 1312 National Avenue, asked about the closing of a curb cut at the currently vacant lot at South Front and Craven Streets, as well as the curb cut at Hancock and South Front Streets.

Discussion by the Commission: The Commissioners discussed issues including the extent of the streetscape improvements and the need to add the NC Railroad property curb cut to the existing drawings.

Finding(s) of Fact: Commissioner Miller moved to find the application congruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: “Landscaping”, pages 77-80, guideline(s)#4-7, 11,14; “Exterior Lighting”, guideline(s)#1-2, 8. Commissioner Parsons seconded the motion. Upon a call for a vote, all Commissioners voted in favor of the motion. Motion passed unanimously.

Statement(s) of Reason: (1) The streetscape improvements are congruous with the 2000 Urban Design Plan; and (2) The plans meet the Guidelines’ criteria.

351 **Condition(s):** NONE
352 **Motion:** Commissioner Parsons moved to issue the COA, seconded by Commissioner Miller.
353 All Commissioners voted in favor of the motion.
354

355 **Old Business**

356 **1. Consider a proposed amendment to the approved 313 E Front St. (Sarah Afflerbach)**
357 **CoA to change the site arrangement and setbacks of townhomes on site. Applicant will be**
358 **requesting a variance with the Board of Adjustment for setback standards later this month.**
359

360 **Staff Comments:** Staff Kevin Robinson gave some background on the project.
361

362 **Applicant Comments:** Project Architect Sarah Afflerbach later in the process asserted that the
363 issue under appeal is the procedure of the issuance, not the material facts.
364

365 **Public Comments:** *Nancy Hollows*, 4438 Rivershore Drive, asked the Commission not to hear
366 the amendment request as the COA is currently being appealed through the Board of Adjustment
367 as this would violate state statues which say that nothing more can be ruled about an item for
368 which an appeal is in progress.
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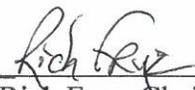
370 **Discussion by the Commission:** The Commission discussed issues including the particular
371 language of the statute, whether this request is a “substantial change”, and the suggestion to table
372 until appeal is resolved.
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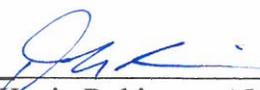
374 **Motion:** Commissioner Parsons moved to table the COA, seconded by Commissioner Miller.
375 All Commissioners voted in favor of the motion.
376

377 **Miscellaneous Business**

378 Chief Building Inspector Johnny Clark gave an update on the Prevention of Demolition by
379 Neglect compliance. Staff Robinson reported on Minor Works. Stevie Bennett suggested that
380 notices be mailed for amendment items. Nancy Hollows recognized and thanked Staff Robinson
381 for getting the project e-files online.
382

383 There being no further business the meeting was adjourned.
384

385 
386 _____
387 Rich Frye, Chairman
388



Kevin Robinson, AICP
City Planner