

1 **Minutes of the**
2 **New Bern Historic Preservation Commission**
3 **August 19, 2015**
4

5 The New Bern Historic Preservation Commission (HPC) held a regular meeting on Wednesday,
6 August 19, 2015, in the second floor courtroom of City Hall, 300 Pollock Street.
7

8 **Members Present:** Tim Thompson, Chair Nancy Gray
9 Tripp Eure, Vice-Chair David Griffith
10 Jim Morrison John Young
11 Jerry Walker
12

13
14 **Members Excused (E)/Absent (A):** Renee Murphy Cherri Moyers
15

16
17 **Staff Present:** Kevin Robinson, AICP, City Planner
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20 The meeting was opened and roll call was taken. A quorum was present.
21

22 A draft of the July 15th, 2015 and the July 22nd Special Called meeting minutes were considered
23 for approval. Reading of the draft minutes was waived. Staff discussed proposed edits to the
24 draft. Commissioner Young made a motion to approve the July 15th 2015 minutes as corrected.
25 Commissioner Walker seconded. Motion carried by unanimous vote.

26 Commissioner Gray made a motion to approve the July 22nd 2015 minutes as corrected.

27 Commissioner Morrison seconded. Motion carried by unanimous vote.
28

29 Chair Thompson explained the HPC and the quasi-judicial hearing process. Staff swore in
30 witnesses.
31

32 **Consideration of Applications:**
33

- 34 **A. 402 Queen St. (Michael & Avery Kempf)** - to include foundation repairs and
35 replacement, reconstruction of missing front porch and moving rear window.
36

37 **Staff Comments:** Staff Robinson presented the application and gave a brief explanation of the request.
38

39 **Applicant Comment:** Mr. Mike Kempf showed the Board members a photo, the oldest one he could
40 find, of the house and explained what he is requesting approval for. He would like to rebuild the front
41 porch and build a back porch to match the front porch. There is a chance that he would be able to re-
42 use/repair the original posts on the front porch after speaking with his contractor. He showed a proposal
43 for the foundation work he is requesting approval for. On the Queen street side there will be no apparent

44 changes, they will just rebuild the original piers. On East Craven side they plan to add 3 additional piers.
45 Two additional piers for the porch, however those will not be visible. Two additional piers will be added
46 to the back yard side and three additional on the back of the house. The second option would be to build a
47 full wall/skirt foundation from brick.
48 The front and rear porches, he believes the posts are from the original posts and can be rebuilt. The
49 original idea was to have the rear porch match the front, however the original rear porch may have simply
50 had square posts with nothing more decorative. He showed photos of the rear window proposed to be
51 moved.

52
53 **Public Comment:** None.
54

55 **Staff Recommendations:** Staff Kevin Robinson received an email from Mr. Richard Parsons on
56 this project and stated he believes it should be considered expert testimony. Mr. Parsons stated in
57 the email that the original posts can be repaired and should be used and that the posts on the rear
58 porch should be square. He also cites page 12 of the guidelines for his recommendation.
59

60 Staff Kevin Robinson submitted the following Historic District Guidelines as appropriate to this
61 application:
62

63 **Exterior Changes to Historic Buildings:**
64 **Foundations, pages 31-33, guidelines 2,7; Exterior Entrances and Porches, pages**
65 **34-36, guideline 10; Windows pages 26-30 guidelines 10, 14. Roofs, pages 17-20,**
66 **guideline 6.**
67

68 **Statements of Reason,** based on the information contained in the application, in Staff's
69 judgment are:

- 70 1. The foundation piers are being constructed of similar materials and style as part of
71 necessary improvements.
72 2. Details of the missing porches are not well documented, however through old
73 photographs it seems that the design of the neighboring porch matches and they are
74 from the same period.
75 3. Moving the window is for adaptive use. Materials will remain the same and it is
76 located in the tertiary AVC.
77 4. The proposed exterior alterations are not incongruous with design guidelines in
78 location design and materials.
79

80 Staff suggests the Commission approve the application for major exterior alterations at
81 this time citing the aforementioned guidelines and with the following condition.

- 82 - Staff to approve roofing sample prior to installation .
83

84 **Board Discussion:** Commissioners agree that the application is complete. Commissioner
85 Griffith asked which foundation option is being considered and Staff Robinson stated the only
86 option is the one that is part of the application with the piers. Commissioners Griffith and Gray
87 stated that the original porch posts should be rebuilt and used. Applicant stated that it would be
88 very difficult to rebuild the posts, but it is feasible and he is willing to do it. He also stated that

89 square posts on the back porch is fine and he will reuse the window he wants to move. The
90 decking will be tongue and groove and the ballisters will be the same as what is pictured in the
91 application. Railings are not required on the steps. He would prefer to replace the roofs with
92 asphalt shingles. There was some discussion about the pitch of the roof on the front porch and
93 the applicant stated that if the Commissioners preferred a metal roof on the front porch he would
94 either repair the existing roof or replace the metal altogether.

95
96
97 **Motion:** Commissioner Gray moved to find the application for 402 Queen Street not
98 incongruous with New Bern's code of ordinance sections 15-411 to 15-429 New Bern's Historic
99 District Guidelines based on the following specific guidelines and findings of facts:

100 Exterior Changes to Historic Buildings:

101 Foundations, pages 31-33, guidelines 2,7; Exterior Entrances and Porches, pages 34-
102 36, guideline 10; The Commission prefers that you restore what's available on the
103 porch. Windows pages 26-30 guidelines 10, 14. Roofs, pages 17-20, guideline 6 for
104 the main portion of the house.

105
106 Statement of reasons: Based on the information in the application that the foundations and
107 piers that are being constructed are of similar materials and style and part of necessary
108 improvements. There are details missing on the porch and the applicant intends to do what he
109 can to reconstruct the columns. Ballastrades included in the application will be used. Moving
110 the window for the adaptive use is appropriate and the materials will remain the same and it is
111 located in the tertiary area of visual concern. The proposed exterior alterations are not
112 incongruous with the design guidelines.

113 Conditions:

114 Commission would like to see as much of the original columns restored as
115 possible including ballisters, which will likely require new materials. In the case
116 they cannot be restored they are to be replicated to as close to what is original.
117 Staff will approve roofing materials prior to installation for the porch as well as
118 the main structure unless it is exactly in kind.

119 Commissioner Morrison seconded. Another condition was added. A knee wall on the back to
120 be replicated from porch flooring. Motion carried by unanimous vote.

121
122 **Motion:** Commissioner Young moved to issue the COA. Commissioner Griffith seconded.
123 Motion carried by unanimous vote.

124
125 **B. 406-408 Broad St. (Kelly Greene – Tarheel Associates)** – to include addition of
126 window and change to door and wall in the secondary AVC.

127
128 **Staff Comments:** Staff Robinson presented the application and gave a brief explanation of the request. A
129 new application was submitted since the packets were sent out and he stated that Mr. Lucien Vaughn
130 would explain the minor differences from the original application.

131
132 Commissioner Gray moved and Commissioner Morrison seconded that Commissioner Walker be recused
133 due to having been notified of the project and living within 100 feet of the project.

134
135 **Applicant Comments and Board Discussion:** Mr. Lucien Vaughn representative of the
136 applicant introduced himself and explained that the original application was done in a hurry to
137 meet the deadline for design review. That application included out dated photos. It also includes
138 some items that were requested from the Commissioners during design review. The new owner
139 is proposing some changes to the south elevation. The applicant is proposing to change the door
140 and wall in the secondary AVC as well as adding a window. They would also like to add a
141 canvas awning. The front of the building already has an aluminum frame canvas awning. All
142 proposed work is on the secondary AVC, no changes to the primary AVC. The windows
143 currently installed are exactly what they would like to install. The brand of stucco used will be
144 Drive-It and it will be hand troweled.

145
146 **Motion:** Commissioner Morrison moved to find the application for 406-408 Broad Street not
147 incongruous with New Bern's code of ordinance sections 15-411 to 15-429 New Bern's Historic
148 District Guidelines based on the following specific guidelines and findings of facts:

149
150 **Exterior Changes To Historic Buildings:**
151 **Windows and Doors, pages 26-30, guidelines 4, 10.**
152 **Brick & other Masonry, pages 37-39, guideline 2, 10.**
153

154 **Statements of Reason,** based on the information contained in the application, in Staff's
155 judgment are:

- 156
157 1. The proposed changes are a return to original fenestration in the secondary AVC and
158 copying an existing masonry application on the building.
159
160 2. The proposed exterior alterations are not incongruous with design guidelines in
161 location design and materials.
162

163 Commissioner Young seconded. Motion carried by unanimous vote.

164 Commissioner Griffith moved to issue a COA. Vice-Chair Eure seconded. Motion carried by
165 unanimous vote.
166

167 Commissioner Young requested to be recused from the next item since he is an adjacent property
168 owner. Commissioner Morrison moved to allow Commissioner Young to be recused. Vice-
169 Chair Eure seconded. Motion carried by unanimous vote.
170

171 **C. 502 Craven St. (Maurice Howland)** – to include installation of brick patio in the
172 secondary/tertiary AVC and a pre-fabricated out building in the secondary AVC.
173

174 **Staff Comments:** Staff Kevin Robinson introduced the application and explained that there may
175 be a zoning issue with regard to the setbacks of the outbuilding. This will be discussed later.
176 There is also a brick walkway in the front.
177

178 **Applicant Comments:** Mr. Maurice Howland stated the walkway in the front will be simple
179 and according to the guidelines. The outbuilding will be moved to meet the setback
180 requirements.

181
182 **Public Comments:** None.

183
184 **Staff Recommendation:** Staff Kevin Robinson reviewed recommendations and findings:
185 Staff submits the following Historic District Guidelines as appropriate to this application:
186

187 **Site and Setting:**

188 **Landscaping, pages 77-80, guidelines 5,9**

189 **Outbuildings and Accessory Structures, page 84, guidelines 5, 6**

190
191 **Statements of Reason,** based on the information contained in the application, in Staff's
192 judgment are:

193
194 1. The proposed alterations and construction is not incongruous with design guidelines in
195 location design and materials.

196
197 Staff suggests the Commission approve the application for major exterior alterations at this time
198 citing the aforementioned guidelines with the following condition:
199

200 Proposed outbuilding will need to be relocated to be 3 feet off property lines per
201 zoning administrator. Staff can work with applicant to find suitable location.

202
203 **Motion:** Commissioner Morrison moved to find the application for a Certificate of
204 Appropriateness for 502 Craven Street to be not incongruous with New Bern's code of
205 Ordinance section 15-411 to 15-429 and New Bern's Historic District Guidelines based on the
206 following specific guidelines and findings of fact:

207
208 **Site and Setting:**

209 **Landscaping, pages 77-80, guidelines 4, 5, 9 13**

210 **Outbuildings and Accessory Structures, page 84, guidelines 5, 6**

211
212 Findings of Fact: The proposed alterations and construction is not incongruous with design
213 guidelines in location design and materials and the condition that the shed will be placed 3 feet
214 from the property line.

215 Vice-chair Eure seconded. Motion carried by unanimous vote.

216
217 Commissioner Griffith moved to issue a COA. Commissioner Walker seconded. Motion carried
218 by unanimous vote.

220 **Public Comment:** Mr. Howland stated his concern for how the Commission makes their
221 decisions based on the guidelines and made suggestions for future decision making. Chair
222 Thompson explained that the Board was working to make revisions to the Guidelines currently.
223

224 **D. 603-605 Hancock St. (John & Lydia Briggs – Andy Bayliss/TAB Homes)** - to include
225 infill construction of new single family home.
226

227 **Staff Comments:** Staff Kevin Robinson introduced the application. It is a vacant lot.
228 Approximately 4 years ago an application came in for a single family home that was denied. In
229 2013 Commission approved a single family home, which was approved and has since expired.
230

231 **Applicant Comments:** Mr. Bayliss was sworn in and presented the application. He showed
232 several photos, a site plan and drawings including elevations of the proposed structure on the
233 overhead projector. There is an existing brick wall on one side of the property and along the rear
234 of the property. The property owner intends to build a similar brick wall on the other side of the
235 property and would like a fence along the front as well. He focused on he proposed roof as a
236 low profile metal roof, louvers in the foundation and garage doors, driveway entrance, and
237 windows all have mullions on both sides.
238

239 **Board Comments:** The board agreed that the application is complete and that the new items
240 presented to the board did not alter the application.
241

242 **Public Comments:**

243
244 *Marty Ingianni* – Stated an issue with the notification and will wait to address the board during
245 general public comment period.
246

247 *Richard Wilson – 506 Johnson street* – Stated the letter he received did not address new
248 construction. He asked if the Commission addresses the roof color. Chair Thompson stated that
249 they do not typically regulate color unless it is something like materials and they prefer a darker
250 color shingle. Mr. Wilson state the house next to him has a light silver color roof and the
251 reflection is very intense. He also stated his concern for a possible “garage house” in the historic
252 district.
253

254 **Staff Recommendation:** Staff Kevin Robinson reviewed recommendations and findings:
255 Staff submits the following Historic District Guidelines as appropriate to this application:
256

257 **New Construction and Additions (Residential New Construction):**
258 **Placement of Structures, page 66, guidelines 1-5; Building Scale and Proportion,**
259 **page 67, guidelines 1-3; Materials, pages 68-69, guidelines 1, 4; Details, page 70,**
260 **guidelines 1-5; Texture, page 71, guidelines 1-2; Form and Rhythm, page 72,**
261 **guidelines 1-4**

262 **Site and Setting:**
263

264 **Landscaping, pages 77-80, guidelines 5,9; Fences and Garden Walls, pages 82-**
265 **83, guidelines 1, 4-6; Outbuildings and Accessory Structures, page 84, guidelines**
266 **5, Driveways and Off-Street Parking, pages 87-88, guidelines 2-3,8;**
267

268 **Statements of Reason**, based on the information contained in the application, in Staff's
269 judgment are:
270

- 271 1. Primary Building is placed in a manner generally consistent with smaller lots, despite the
272 larger size and added width of the lot.
273
- 274 2. The primary structure is of congruous scale and proportion with its common two-story
275 form found throughout the district as well as on this street.
276
- 277 3. Garages should be located in the secondary or tertiary area. The location of this
278 structure, visible from the street, creates an incongruous scale and proportion for the
279 entire house. Even if pulled to the streetfront to help add to the rhythm of the street, the
280 structure is not as tall as any others on the block and would look out of place. It is
281 recommended that the garage be moved backward so it is less prominent on the site.
282
- 283 4. Composite materials, such as Hardi board are congruous with guidelines. The board and
284 batten Hardie application is not common, but can be found throughout the district, and is
285 done in a relatively small area to add to contribute to the architecture of this
286 contemporary house.
287
- 288 5. The proposed details, texture, and fenestration are congruous with design guidelines and
289 the district.
290
- 291 6. No landscaping, plan has been provided. Applicant may present and substantial
292 landscaping or hardscaping features later for subsequent approval.
293
- 294 7. Replicating existing fence along northern property line is congruous with design
295 guidelines however the fence should be stepped down to 4 feet in from the present
296 garage location in the secondary to the front property line. Additional approval will be
297 required for fencing in front.
298
- 299 8. All other Site and Setting features are congruous with design guidelines
300

301 Staff suggests the Commission approve the application for major exterior alterations at this time
302 citing the aforementioned guidelines with the following conditions:
303
304

305 If the two lots have not already combined they must be prior to issuing the CoA.

306 Garage shall be stepped further back or be relocated behind the primary structure.
307
308

309 Lighting samples and major landscaping and hardscaping, including pools and
310 walkways shall be approved through a Minor CoA or in conjunction with future
311 Major CoA(s).

312
313 Fencing the primary AVC shall be approved by HPC

314
315 Hardie shall be smooth textured. Samples shall be provided to Administrator prior to
316 issuance of CoA to ensure consistency with plans.

317
318 Window, garage and front door product sheets shall be submitted to Administrator
319 prior to issuance of CoA to ensure consistency with plans.

320
321 Roof shall be a true standing seamed, flat panel, metal roof with 16-24 inch seam
322 distance. Sample shall be provided to Administrator prior to issuance of CoA.

323
324 **Board Discussion:** The Board reviewed the COA checklist. There was lengthy discussion on the
325 proposed attached garage and the guidelines for secondary structures and their harmony in the
326 district, as well as discussion regarding the footprint of the house and the relationship of the front
327 porch and second story. With regard to the roof, Mr. Bayliss stated that the owner would prefer a
328 metal roof if possible. There were some questions about the use of the low profile cap on the
329 seams; if it is an interlocking seam or a rolled seam. It was pointed out that the second story was
330 set back from the first story and that this two story form is not found in the district. No issues
331 with any of the other items on the checklist. The Board offered some suggestions for revising the
332 proposed plans to bring back to the Board at the next Design Review. In particular, it was
333 suggested that the connector between the house and garage be changed to an open breezeway
334 with a flat roof.

335
336 **Motion:** Vice-Chair Eure moved to continue the hearing for 603-605 Hancock Street to the next
337 regularly scheduled public hearing on September 14, 2015 at 5:30pm in order to give the
338 applicant time to make adjustments to the application. Commissioner Gray seconded. Motion
339 carried by unanimous vote.

340
341 **General Public Comment:**

342
343 *Marty Ingianni* – Stated his issue with the notification being incorrect information. Instead of
344 citing new construction the notifications were for landscaping. Staff Robinson apologized for
345 the clerical error.

346
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348 **Other Business:**

349 A. **Review of proposed Amendment to Annual Schedule**

350 Staff Robinson proposed to change the dates for the September meeting from the 16th to
351 the 14th and to change the October meeting from the 21st to the 19th.

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Motion: Commissioner Morrison made a motion to ammend the annual schedule as proposed. Commissioner Walker seconded. Motion carried by unanimous vote.

B. Review of Amended Rules of Procedure Document

Chair Thompson discussed the proposed changes. Most of the changes were minor and didn't change the meanings.

Motion: Commissioner Morrison made a motion to adopt the Amended Rules of Procedure Document and add the word "Not" (not incongruous) on page 14. Vice-Chair Eure seconded. Motion carried by unanimous vote.

C. Election of Officers

Commissioner Morrison nominated Tim Thompson as Chair. Commissioner Young seconded. Nomination carried by unanimous vote.

Commissioner Gray nominated Tripp Eure as Vice-Chair. Commissioner Morrison seconded. Nomination carried by unanimous vote.

D. Review of Dryborough Nomination to New Bern National Historic District

Staff Robinson presented and explained the requirements for approval.

Motion: Commissioner Gray made a motion to recommend approval and support of the application to expand New Bern's historic district to include historic Dryborough. Commissioner Young seconded. Motion carried by unanimous vote.

Administrative Updates and Discussion: Staff Robinson gave updates to the Board on minor works approvals:

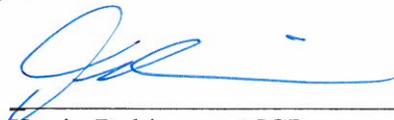
- 1. 418 Craven – installed a lift and ramp in the primary AVC.
- 2. 310 Metcalf – Savages Pizza to install a 6' privacy fence in the tertiary AVC.
- 3. 420 Broad St. - Firemans museum to install awnings on 3 sides over the doors.
- 4. 315 Ave C – a tankless water heater and some screening.

There was a brief discussion about the demotlition by neglect prevention sub committee meeting sometime over the next few weeks.

There being no further business the meeting was adjourned.



Tim Thompson, Chairman



Kevin Robinson, AICP
City Planner