Minutes of the
New Bern Historic Preservation Commission
November 28, 2012

The New Bern Historic Preservation Commission (HPC) held its regular meeting on Wednesday, November 28, 2012, in the second floor courtroom of City Hall, 300 Pollock Street.

Members Present:	Rich Frye, Chairman	Tim Thompson, Vice-Chairman
	Richard Parsons	Peggy Broadway
	Mickey Miller	Peter Adolph
	Nancy Gray	Jan Giordano

Members Excused (E)/Absent(A): NONE

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

The meeting was opened. Roll call was taken. A quorum was present. A motion to waive the reading of the minutes was made by Commissioner Adolph and seconded by Vice-Chair Thompson. Motion passed. Chairman Frye asked for any factual corrections to previous minutes. Commissioner Gray suggested corrections to October 17, 2012 minutes, specifically page 2, line 56 pertaining to a failed motion to accept a Certificate of Appropriateness application. Continued discussion on this topic, and as noted on line 71, a motion was made to continue this hearing for 30-days. Commissioner Parsons agreed with this recollection and Chairman Frye requested it be noted and adjusted. A motion to accept the minutes with these changes was made, seconded and passed.

The 2013 HPC meeting schedule was passed among the Board. A motion was made to approve this schedule by Commissioner Giordano. Motion was seconded and passed unanimously.

Chairman Frye noted a question was brought forward regarding the vacant spot on the board, and the impact this might have on a tie vote. He advised the procedural rule is a majority vote is needed, therefore this vacancy will not impact, as a tie vote would mean a denial.

Witnesses were sworn in.

New Business

1. Consider a Certificate of Appropriateness application for 712 New Street for exterior alterations to include demolition of the existing severely deteriorated structure and redevelopment of a new residence on the site.

Staff Comments: Staff Kevin Robinson described the request to demolish a contributing structure by owners Shannon and Corrine Corr. At a special meeting held on November 14th, the initial application for demolition was approved, advising this hearing is for the redevelopment

Wood outlining his suggestions was provided to the Board. Kevin read the letter which noted property's historical background, opportunities to rehab the home and benefits of preserving the home, noting demolition should be a last effort and consideration. Mr. Wood wrote that tax credits may be available to the owners and local organizations also may be able to assist.

Applicant Comments: To the applicant, represented by Tarheel Associates, Chairman Frye advised an agreement with Mr. John Wood has been made to review the structure and historical value of the home. Chairman Frye noted this information would be beneficial to the Commission in making a decision on how to appropriately move forward. He questioned if the applicant would be willing to continue this request to the December 12th meeting for further review and discussion. Applicant representative was agreeable to this.

Public Comments: None.

Discussion by the Commission: None.

Motion: No motion, as this item will be continued over for further review and discussion during the Design Review meeting to be held December 12, 2012

3. Consider a Certificate of Appropriateness application for 313 E. Front Street for exterior alterations to include demolition of the existing structure and redevelopment of new multiple single family residences on the site.

Staff Comments: Staff Kevin Robinson advised this request is in the first phase of the process. He noted the age of the existing property is in question, 49 or 50 years old, being built in 1962, and if it is a contributing property. He advised staff is recommending giving the owner, Sarah Afflerbach, the benefit of the doubt on the age of the property.

Applicant Comments: Sarah Afflerbach advised there is more to consider than just the questionable age of the property. She does not believe the existing building is not a contributing property. Chairman Frye asked if she indeed knew the exact age of the property. She advised she is aware of what the GIS reports show, which is 1962. Chairman Frye noted there are differing demolition rules for properties 50 years of age and over and doesn't feel it would be wise for the Commission to bend any rules, and would need to follow rules for a property of the 50 year age. Ms. Afflerbach advised she spoke with John Wood previously about the age of the property and he did not indicate the building would fall under the guidelines of a contributing structure. Chairman Frye advised the applicant that he also had a conversation with Mr. Wood that differed greatly from the conversation she had with him. Ms. Afflerbach again advised that regardless of the age of the building, she does not consider this a contributing structure. Commissioner Parsons advised what is being discussed is the proper process to follow, to maintain consistent processes for all historical properties of specific age. Commissioner Thompson noted that there are differing opinions on the age of this property, but they do not have anything in writing advising the exact age, so if there is a defining document that can answer this question, it should be provided to them. And noted as a Commission they are

obligated to find the answer to the age question so they proceed appropriately. Ms. Afflerbach noted she met with the planning department regarding the age concern, speaking with Mr. Bernard George. She felt if it had been significant, Mr. George would have provided documentation in their packet. Chairman Frye again noted that regardless of what she provided, this still would not definitively answer the question of property age. He advised there is an engineering component to this as well, with a 4-point process to get demolition approved. Ms. Afflerbach compromised saying if she and the Board can agree to accept whatever John Wood's determination is, that is agreeable. Commissioner Parsons said he is agreeable to this proposal, and feels it is a very good way to resolve this issue.

Public Comments: *Nancy Hollows, 4438 Rivershore Drive.* She advised there is confusion when looking at a contributing structure. The rules for this differ from our Land Use Ordinance. Therefore, the determination John Wood may make, may not conform to the Land Use Ordinance used by the HPC.

Applicant Comments: Chairman Frye questioned if Ms. Afflerbach would be agreeable to hold over this decision to the December 12 meeting, at which time he is certain they will have an answer. Ms. Afflerbach advised she would have preferred to have John Wood there to discuss, but is agreeable to hold the decision over, listen to what Mr. Wood has to say and take that into consideration.

Staff Bernard George explained to Ms. Afflerbach that he did speak with the Chairman and Vice-Chairman about the age of the property, and looked on the internet, confirming the same information he discussed with her, in an attempt to help determine if the building is contributing.

Chairman Frye noted the redevelopment plan component of this also wasn't available for this meeting. The City is creating a 3-D streetscape of the proposed residences to give an additional view for the members to consider. Ms. Afflerbach mentioned she had already provided a 3-D rendering of the proposed development as well as adjacent buildings, but she looks forward to seeing what the City provides.

Discussion by the Commission:

Motion: Commissioner Parsons moved to accept Ms. Afflerbachs offer to allow John Wood's decision to be acceptable to all, answering the question of age and contributing structure. Motion was seconded, and approved.

4. Consider a Certificate of Appropriateness application for 100 Middle Street for multiple exterior alterations to the Doubletree Hotel to include windows and doors.

Staff Comments: Staff Kevin Robinson described the requested changes to the hotel, referring to the guideline book. He advised staff is recommending approval of this request based on the building not being a contributing structure and the windows and doors do not have any historical value to the building, and the addition of storm windows will have little to no impact on the

integrity of the structure. Additional photos were provided to the Board.

Applicant Comments: Debbie Schaefer, Hilton representative, advised they will be replacing 14 doors due to significant deterioration. Photographs provided show the continuing integrity of the structure with the suggested replacements. She advised they are also replacing 14 deteriorated dormer windows as well. New paint for all replacement trim will be painted white. Custom doors are being created to ensure consistent look of all doors. These new doors will be made of fiberglass, which differs from the existing doors, but does fall within the guidelines. She advised they would also like to install storm shutters to alleviate the water that currently comes in during heavy rains/storms. Their insurance does not cover wind driven rain damage, therefore the storm shutters will alleviate the need for them to continually replace carpet as it is damaged from rain. There are 112 rooms that they will install these storm shutters on. If the Commission does not approve their storm window request, they will have to replace all existing working doors with fixed, non-working doors. Ms. Schaefer noted the open, working doors are a nice amenity for their guests, which is why they prefer to keep them and install the storm shutters. *Jan Sutton, 4101 Rendall St., Morehead City* also answered questions clarifying specific requests. Ms. Sutton represents the shutter company, Atlantic Breeze Shutters. She provided a sample product that would be used as well.

Public Comments: Stevie Bennett, 1312 National Avenue requested clarification on the painting being done. It will not be for the entire building, just for the trim work and new work.

Discussion by the Commission: Commissioner ** requested clarification on options if the HPC did not approve the requested shutter doors. Ms. Schaefer advised the hotel would have to replace the 112 operable doors with fixed-doors that would be inoperable. Chairman Frye requested and received clarification on which building will be worked on.

Motion: Commissioner Parsons moved to approve the Certificate of Appropriateness request for these exterior changes, siting guidelines windows & doors; page 28-32, guidelines 7 and 8. Commissioner Adolph seconded motion. Board voting was unanimous. Commisioner Parsons made a motion to issue a Certificate of Appropriateness. Commissioner Adolph seconded and board voting passed unanimously

5. Consider a Certificate of Appropriateness application for 213 Pollock Street for exterior alterations to the single family residential structure to include re-opening of an old porch.

Staff Comments: Staff Kevin Robinson advised staff suggests they approve the application based on guidelines exterior entrances and porches, page 36 and also additions to historic buildings, pages 73-74, guidelines 1-16. Based on the information obtained, the staff judgment is the changes will not diminish any important visual aspects and materials being used will be similar to existing materials.

Applicant Comments: CR Francis Architecture represented the home owner, advising they have been retained to do the proposed work. She provided elevations for review, noting the

adjusted porch will maintain the aesthetics from the existing front porch. Renderings of existing and proposed changes were reviewed.

Public Comments: Nancy Hollows, questioned some visible trim upon completion of project, which was answered satisfactorily.

Discussion by the Commission: Commissioner Thompson questioned repositioning of the door, confirming utilizing a new door, not re-using the existing door. Representative advised yes, replacing was necessary but would be replaced with similar material. Commissioner Giordino questioned placement of downspout, which was answered satisfactorily. Commissioner Adolph noted this was a positive and needed improvement. The home was previously used for commercial use as a law firm, but the owner is returning it to a residence. Commissioner Thompson suggested donation of the existing doors to the Preservation Foundation salvage warehouse.

Motion: Commissioner Adolph moved that Commission approve the application, based on guidelines, section 15; 427 and section 15;429, citing guidelines exterior entrances and porches page 36, and pages 73-74, guidelines 1-16. The changes will not diminish any visual aspects of the home, and proposed materials meet criteria for approval. Commissioner Parsons seconded the motion. Motion passed unanimously. Motion to issue Certificate of Appropriateness by Commissioner Parsons and seconded by Commissioner Thompson. Motion passed unanimously.

6. Consider a Certificate of Appropriateness application for 709 Craven Street for exterior alterations to the single family residential structure to include enclosure of existing deck.

Staff Comments: Staff Kevin Robinson advised staff suggests approval of this request, citing guidelines, exterior entrances and porches, page 36, and additions to historic buildings, pages 73-74, guidelines 1-16. The alterations are to a tertiary portion of the structure and will not diminish any visual aspects of the home. The proposed materials meet approval criteria, and are of similar materials. Similar changes have been made in the area with no detrimental historical effect. The enclosed porch should be removable in the future without detracting from the original integrity of historical importance.

Applicant Comments: *Sally Kruger, 709 Craven Street, and Alex Andrews, 3203 Nursery Road* advised the screened in porch will not compromise the integrity of the home. It is located in the back of the house, detached, self-supporting so will not interfere with the existing historical structure. It will be relatively easy to remove in the future because of this.

Public Comments: Nancy Hollows provided historical background on this home. She requested clarification of the gutter system, if it will extend beyond the new rood, and clarify whether the posts will be set in from the back kitchen wall, or aligned with the kitchen wall, but feels this will be a great addition to the home. Ms. Kruger, owner, reiterated this addition will not be attached to the house. A roof will be added, but the guttering will not be extended. Alex Andrews noted the columns will be flush with the wall and will not detract from the home. It

will be tied down the required specifications due to proximity to the river.

Discussion by the Commission: Commissioner Parsons questioned if this was an after the fact application, which it is not. He noted the guidelines indicated new work should be differentiated from the old work in some way, therefore suggests the roof line may need to be stepped down a couple of inches to indicate it is not part of the initial structure.

Motion: Commissioner Thompson moved to approve the application, citing guidelines exterior entrances and porches, page 26, additions to historic buildings, pages 73-74, guidelines 1-16. Reasons being alterations are in a tertiary area and do not diminish visual aspects of the home. Proposed materials meet criteria for approval. The addition will be removable in the future with no impact to the historical aspects. The only condition being the roof line will need to be adjusted so as not to be continuous with the existing roof line. Commissioner Adolph seconded. Motion passed unanimously. Motion was made to issue a Certificate of Appropriateness. Motion passed unanimously

7. Consider a Certificate of Appropriateness application for 302 Liberty Street for multiple exterior alterations to Charles Taylor Daycare Center to include windows, doors, siding, downspouts, etc.

Staff Comments: Staff Kevin Robinson advised staff suggests approval based on guidelines windows and doors, pages 28-32, guideline 4, wood, walls, trim and ornamentation pages 24-27, guidelines 3, 5, 6 and 9. Based on suggested changes the building is not a contributing structure and the proposed changes do not have any historical value. All items will be replaced in kind with the exception of the siding, which will be of similar material and maintain consistent integrity.

Commissioner Adolph advised in the interest of full disclosure, his wife is on the Housing Authority Commission, owners of this property, but doesn't feel this is reason to recuse himself, but will if others feel it necessary. The Commission agreed it was not necessary.

Applicant Comments: *Tim Jedrey, 132 Bouganwood Dr. Emerald Isle* represented the Housing Authority. He provided historical background on the structure. He noted the siding has multiple holes and is leaking. He suggests replacing it with a hardy board, board and batten siding that looks like wood but will last a lifetime. They will paint it to continue the current look. Doors, gutters, windows, will be replaced in-kind.

Public Comments: None

Discussion by the Commission: Commissioner Parsons clarified the hardy board should be of a smooth surface, not with faux wood grain. Mr. Jedrey agreed. Commissioner Gray requested solution to previously discussed issue, during the Design Review meeting, pertaining to the fence connection to the building. Mr. Jedrey noted the fence surrounding the playground, will be extended out 6 feet from the building, alleviating the ability for children or adults to climb over,

and removing existing barbed-wire.

Motion: Commissioner Parsons moved to approve the application based on guidelines sections 15;427, 15;429 and review criteria windows and doors, pages 28-32, guideline 4, wood, walls, trim and ornamentation pages 24-27, guidelines 3, 5, 6 and 9. The one condition being the hardy board be of a smooth nature, with no grain visible. Reasons to approve include the building is not a contributing structure and the replaced items have no historical value and will be replaced in-kind, with the exception of the siding. Commissioner Thompson seconded motion. Motion passed unanimously. Motion to issue Certificate of Appropriateness passed unanimously.

Old Business

1. Demolition by Neglect: no additional information was discussed. Staff Bernard George advised Chief Building Inspector Johnny Clark was unable to attend due to family health concerns, requesting prayers for his family. Chairman Frye advised Commissioner Parsons agreed to head the committee to survey the neighbor for Demolition by Neglect candidates, and keep lists updated for review.
2. Administrator's Report on Minor Works: S. Front Street Marina did receive an approved Certificate of Appropriateness for minor works for addition of gates to entrance of docks A-G. Building Inspector Wilson noted an unlocked egress for the gates was necessary. Additional explanation noted this was to keep out unwanted persons during the evening hours.
3. Old Business: Commissioner Miller discussed the number of trees being removed from the downtown area. She questioned landscape guidelines noting replacement/retaining trees and their involvement. Staff Bernard George advised he has spoken with Public Works Director Mark Stephens, and the Zoning Enforcement officer. Many of the trees being removed were damaged last year during Hurricane Irene, and were not safe to continue growing in the area. Replacements will be planted on an on-going basis. She provided an address on the corner of Johnson and Craven streets and a tree that she feels doesn't seem to fit the area.
4. Staff Kevin Robinson requested of Commissioner Parsons to allow himself and a building inspector to attend his surveys of the neighborhood for Demolition of Neglect, looking for trees not permitted, as well as demolition by neglect cases.
5. Staff Bernard George advised walk-arounds through the Riverside neighborhood will be done to identify complaint properties. Commissioner Thompson noted the idea of the walk-around was to assist the HPC members identify at risk properties and how best to proceed in rectifying the issues. He noted Commissioner Parsons is a tremendous resource for the Board in this area. It was noted there are many structures that have for various reasons, not been included in the Demolition by Neglect list. He feels strongly that the committee should be doing more to ensure a property never gets so far beyond repair that the only option is to demolish it. Commissioner Parsons noted as the Board, they do not have to wait for a property to be brought before them before action is taken to correct any issues. Commissioner Thompson agreed it is the Boards responsibility to be proactive in this area.

6. Stevie Bennett discussed the issue of street trees, noting a list of appropriate trees was brought in front of the Board of Aldermen, which was approved. She spoke against two types of trees that were approved, due to previous issues with these types. She noted during an 8-year period, she took on raising money to replant multiple missing trees in Riverside. They planted approximately 350 trees and shrubs. She said there were about 25 trees that were Schumack trees, and all but 3 did not survive. The three that survived were in the cemetery and were watered weekly. She suggested these types of trees be removed from the appropriate tree list. She spoke on the removal of three trees on National Avenue. There was discussion on whether that was needed. The DOT on Glenburnie was not willing to remove these.
7. Minutes for November 14th have not been approved. Line 31, under staff comments, the wording was not clear what process was being discussed. Commissioner Gray felt additional verbiage should be included to describe in more detail that this was a process based on score criteria. Chairman Frye made a motion to dispense of the reading of the November 14th minutes. Motion seconded and passed. Motion was made to pass these minutes. Motion was seconded and passed.
8. Commissioner Miller addressed the 2013 schedule, noting a couple of dates still show 2012. Staff Kevin Robinson advised he will adjust these concerns.

There being no further business, the meeting was adjourned.

Rich Frye

Rich Frye, Chairman

Kevin Robinson, AICP
HPC Administrator