

**Minutes of the
New Bern Historic Preservation Commission
January 18, 2012**

The New Bern Historic Preservation Commission (HPC) held its regular meeting on Wednesday, January 18, 2012, in the second floor courtroom of City Hall, 300 Pollock Street.

Members Present:

Peter Adolph, Chairman	Richard Parsons
Peggy Broadway	Bradley Cummins
Karen Britton	Tim Thompson
Johnny Harrison	Jack Morton, Jr.

Members Excused (E)/Absent(A): Rich Frye, Vice-chair (A)

Staff Present: Michael Avery, AICP, Planning and Inspections Director
Leigh Anne Friesen, AICP, Volunteer

The meeting was opened and roll call was taken. A quorum was present. A motion to waive the reading of the minutes was made by Commissioner Cummins and seconded by Commissioner Morton. Motion passed. A motion to approve the minutes as submitted was made by Commissioner Parsons, and seconded by Commissioner Morton. The motion passed. Witnesses were sworn in.

Witnesses Sworn: Eric Remington, Tim Gentry, Kathy Adolph, Chip Marchetti, Mitch Lewis, Stevie Bennett, Glen Spencer, Steve Bengel, Hal Martin, Steve Wynne, Ben Parrish, Will White, Wendy Jones, Claire Hageman, Joe Mansfield, Antony Andrious and others.

New Business

1. Consider application for a Certificate of Appropriateness for Franks Drive (Trent Court Apartment Complex) to include construction of a steel fence atop a brick wall and landscaping to include planting of Crepe Myrtle trees and native shrubs at the end of Buildings R and S.

Staff Comments: Staff Mike Avery gave a brief description of the project. He noted that the Complex's Notice of Violation is still in effect and will still have issues to resolve after settling the matter of this COA.

Applicant Comments: Eric Remington, representing Ward and Smith, P.A. the Attorney for the applicant spoke as well as Tim Gentry, the construction coordinator. They discussed the proposed fence, including description, location, and design.

Public Comments: *Kathy Adolph*, 210 Metcalf Street, spoke as the adjacent property owner at the southwest corner of Fleet and Pollock Streets (the City Laundry building). She is also a Board member of the New Bern Housing Authority. She supports the proposed fence, but

believes the proposed shrubbery does not satisfy the existing violation. She would like to see more done.

Discussion by the Commission: Chairman Adolph recused himself from the discussion and vote. The Commissioners discussed issues such as the clarification of items to be decided by the Commission on this application, the type and scope of proposed shrubs, the need for more information regarding the shrubs, and the number of crepe myrtles and shrubs.

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: “Fences and Garden Walls”, page 83, guideline(s) #4-6 and “Landscaping”, page 79, guideline(s) #5-7. Commissioner Cummins 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 proposed fence railings are consistent with existing railings elsewhere on the property and the HPC guidelines; (2) The proposed landscaping is consistent with existing landscaping elsewhere on the property and the HPC guidelines.

Condition(s): NONE

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

2. Consider application for a Certificate of Appropriateness for 202 Metcalf Street for exterior alterations to include replacement of metal porch pillars with wooden pillars.

Staff Comments: Staff Mike Avery described the project, to include a change in material from metal to wooden porch pillars.

Applicant Comments: Applicant/owner Chip Marchetti detailed the project’s history and proposals.

Public Comments: *Kathy Adolph*, 210 Metcalf Street, stated she is in support of the project.

Discussion by the Commission: The Commissioners discussed issues including the fact that the pillars are rusting from within, a clarification of the pillar configuration, the fact that the house design is symmetrical, the plan to match the color of the pillars to the house, and the use of wood as the pillar material.

Finding(s) of Fact: Commissioner Morton 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”, page 22, guideline(s) #5-6. 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 proposed columns replace inappropriate metal columns and are compatible with others in the neighborhood.

Condition(s): NONE

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

3. Consider application for a Certificate of Appropriateness for the Craven Arts Council for placement of the sculpture “Two Circles” on the river walk behind the Convention Center.

Staff Comments: Staff Mike Avery gave a brief description of the project.

Applicant Comments: Mitch Lewis, 507 Emmen Road, New Bern, gave a description and history of the project. He also talked about the meaning behind the artwork.

Public Comments: *Stevie Bennett*, 1312 National Avenue, does not want to see anything else on the waterfront and thinks the Arts Council should have HPC permission for location of a piece of art before it is even bought. *Glen Spencer*, 1209 N Pasteur, thought the proposed location was too close to the existing art on the Riverwalk, and would like to see the pieces further dispersed so as to draw observers from piece to piece along the walk. Furthermore, he is a member of the Sculpture Board and would like to see more art in the City. *Kathy Adolph*, 210 Metcalf Street, stated that she likes the sculpture, but does agree with Mr. Spencer that the proposed location is too close to the other pieces and may cause in interruption along the river. She recommended a long-range art plan is needed to better address the impact of art placement in the city on the waterfront as well as currently existing green spaces. *Chip Marchetti*, 202 Metcalf Street, doesn’t want to see sculptures or anything else take up so much green space that children have no place to run free and play.

Discussion by the Commission: The Commissioners discussed issues such as alternative locations, the distance of the proposed location from the river bulkhead, the height of the structure as it will be experienced by observers on the sidewalk, the Convention spatial constraints that impacted the proposed location, the need for the art to be more of a focal point by not crowding the existing art pieces, the adjacent property owners, the amount of river view obstruction, the art placement guidelines of the City’s Urban Design Plan, and the suggestion of a pre-application meeting to discuss options.

Finding(s) of Fact: Commissioner Parsons moved to find the application incongruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: “Landscaping”, page 79,

guideline(s) #12. Commissioner Broadway 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 proposed placement is not in keeping with the guidelines.

Condition(s): NONE

4. Consider application for a Certificate of Appropriateness after-the-fact for 1104 National Avenue for exterior alterations to include construction of steps and landing for warehouse door. Also, consider modifying existing Certificate of Appropriateness from May 19, 2010 to strike out installation of two handicap ramps.

Staff Comments: Staff Mike Avery gave a brief description of the project's history. He noted that the application is "after-the-fact".

Applicant Comments: Property owner Steve Bengel, 329A Middle Street, discussed the project. He stated that since the former tenants left, there is not the need for the handicapped ramps as approved previously. However, due to fire code, they will need to add an exterior landing.

Public Comments: *Stevie Bennett*, 1312 National Avenue, stated that she does not like to see after-the-fact applications, and thinks the owners should work harder to keep tenants abreast of the HPC guidelines and COA requirements. She inquired about the previously proposed plantings and landscaping. She also inquired about alternative locations for the steps and requested that a condition of the COA be that if the current tenants leave, the stairs must be removed.

Discussion by the Commission: The Commissioners discussed issues such as the incongruous nature of the pickets, the need to match the step handrails, the age of the building, the details of the previous approval, a landscaping plan, the reduction in mass of this project as compared to the previous project, and the need to paint the wood.

Finding(s) of Fact: Commissioner Morton 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: "New Construction Materials", page 61, guideline(s) #4. Commissioner Parsons seconded the motion. Upon a call for a vote, all Commissioners voted in favor of the motion except Commissioner Broadway. Motion passed.

Statement(s) of Reason: (1) The proposed project will lessen the visual impact on the building.

Condition(s): Treated lumber must be painted

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

5. Consider application for a Certificate of Appropriateness for 305 Broad Street for lighting alterations to include area, courtyard, wall, and other fixtures.

Staff Comments: Staff Mike Avery gave a brief description of the project noting the lighting changes. He discussed the sign illumination request and stated that the applicant appeared to have made all the pre-application changes that were recommended.

Applicant Comments: Hal Martin, 5817 Dutch Creek Drive, Raleigh, represented the project engineers for the bank. He stated that the main reason for the lighting request is to improve security around the bank. He also noted that the request includes a change that will reduce the brightness of the existing signage lights.

Public Comments: *Stevie Bennett*, 1312 National Avenue, inquired about samples of the proposed fixtures and whether or not they will be seen from Craven or Broad Street.

Discussion by the Commission: NONE

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 Lighting", page 89, guideline(s)#1, 2, 4, 9. Commissioner Cummins 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 lighting is of a consistent design and will improve area safety.

Condition(s): NONE

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

6. Consider application for a Certificate of Appropriateness for 222 Change Street for exterior alterations involving demolition, new construction, and renovations.

Staff Comments: Staff Mike Avery gave a description of the project, noting that it has been reviewed a several pre-application meetings. He also mentioned that he had just received Eastern State Historic Preservation Office representative John Wood's comments via email and included them in the Commissioner's notes for the evening.

Applicant Comments: Steve Wynne, 207 Pollock Street, spoke on behalf of the owners. He talked about the project, and specifically addressed the height and elevation plan.

Public Comments: *Ben Parrish*, 217 Change Street, is concerned about the proposed height increase, and cited p95 “Relocation of Building” guidelines. *Will White*, 226 Change Street, inquired about the layout of the house and what effect the increase of the house’s footprint would effect the already overburdened drainage on surrounding neighbors. *Wendy Jones*, 229 Change Street, stated there is no drainage between her and Mr. White’s house and also indicated a concern about the effects on drainage. *Claire Hageman*, 220 Change Street, is concerned about the proposed height and overall size of the house. She, too, is concerned about drainage issues. *Joe Mansfield*, 315 George Street, is president of the New Bern Preservation Foundation and stated that the streetscape is the most important elements to preserve downtown.

Discussion by the Commission: The Commissioners discussed issues such as the need to zero in on the issue of the historic significance of the attached kitchen proposed for demolition, the inappropriateness of demolishing the kitchen if it indeed is as old as John Wood states, the size and scale of the house, the fact that the HPC does not have drainage issues as its purview, the allowed percentage of lot coverage, a FEMA variance, the spacing of the houses and accurateness of scale presented, the respective heights of each proposal, the height of the firstly prioritized project being proposed, the lowest property on the block, the pitch of the proposed roof, the issue with adding a second story, and the possibility of tabling the project.

Finding(s) of Fact: Commissioner Parsons moved to find the application incongruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: “Additions to Historic Buildings”, pages 73-74, guidelines #3, 4, 11. Commissioner Broadway 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 existing kitchen as determined by John Wood contributes to the historic nature of the existing structure and should not be demolished.

Condition(s):

- New additions to the structure shall be able to be removed without significant damage to the historic building
- Future applications for this project should have the application fee waived.

7. Consider application for a Certificate of Appropriateness for 1005 North Craven Street for exterior alterations to include replacement of plastic lattice, mismatched bricks, and concrete mortar with uniform bricks.

Staff Comments: Staff Mike Avery gave a brief description of the project.

Applicant Comments: Antony Andrious, 1005 North Craven Street, talked about the project.

Public Comments: NONE

Discussion by the Commission: The Commissioners discussed issues such as the extent of the proposed lattice work versus solid foundation, the type of brick and need for a materials list, the facility of having all the underpinning be open lattice per flood insurance requirements, and the age of the house.

Finding(s) of Fact: Commissioner Thompson 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: “Foundations”, page 35, guideline(s)#3, 6, 7. 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 proposed foundation is congruous per page 31 of the guidelines.

Condition(s): Per guideline #6, the lattice-worked brick shall be recessed 1-2 inches in between each brick pier so as to highlight the historic position of the piers.

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

There being no further business the meeting was adjourned.

Peter Adolph, Chairman

Michael Avery, AICP
Planning and Inspections Director