

Minutes of the Regular Meeting of the
Sanford Historic Preservation Commission
Buggy Building Conference Room
7:00 PM Monday, April 23, 2018
115 Chatham Street

Roll Call:

Commissioners Present: David Nestor, Allen Gordon, Philip Yarborough,
Brian Mitchell, Rebecca Whitaker & Greg Stoch

Commissioners Absent:

Staff Present: Liz Whitmore, Historic Preservation Planner, Anne Sears,
Secretary to the Commission; Al Benschoff, Commission Attorney

Government Official Present: Sam Gaskins

Witnesses and Guests: Tim Sloan, Amy Dalrymple, Ed Duffell, Jr. Whitney Parrish,
Renee Fincher, David Siler, Brandon Atkins, Kate Rumely
David Montgomery and Marshall Downey

Chair Mitchell called the meeting to order.

1. Staff Anne Sears called the roll and a quorum was determined.

2. **Approval of the Agenda for April 23, 2018:**

Chair Mitchell called for approval of the agenda for April 23, 2018. Chair Mitchell asked to add under New Business the following: (6 b.) Contested Hearings and under #10 Adjournment: Call for Continuation on COA- 18-27- (W. B. Wicker School) 04-24-2018.

Chair Mitchell called for approval of the amended agenda.

Commissioner Nestor moved to table the March 19, 2018 minutes; seconded by Commissioner Allen Gordon and the motion passed unanimously.

Commissioner Greg Stoch moved to approve the agenda as amended; seconded by Commissioner Phillip Yarborough and it passed unanimously.

3. **Approval of the March 19, 2018 Minutes: N/A**

4. **Public Comment: N/A**

Chair Mitchell asked if there was any public comment. There was none.

5. **Public Hearings:**

Staff Liz Whitmore, applicants Renee Fincher, David Siler, Brandon Atkins, Kate Rumely and David Montgomery were given the oath.

At this time, Commission Attorney Al Benshoff introduced himself and he wanted to add that this commission is a board of limited jurisdiction. He read the following: (Sample Opening Statement) He stated that this hearing is a quasi-judicial evidentiary hearing. "This means it is like a court hearing. State laws sets specific procedures and rules concerning how this commission must make this decision; these rules are different from other type of land use decisions like rezoning decisions. This commission's discretion is limited. This commission must base its decisions on confidence, relevance and substantial evidence in the record. A quasi-judicial decision is not a popularity contest. It is a decision limited by the standard in the Sanford Unified Development Ordinance of the (UDO) and based on the fact's presented at this hearing. If you are speaking as a witness; please focus on the fact and standard; not personal preferences or opinion. This being opened to the public, everyone is welcome to watch, and participation is limited; only parties with standing may participate by presenting evidence, calling witnesses and making legal argument. Parties with standing are limited to the applicant; local government and persons who could solely suffer special damages. Other individuals may serve as witnesses when called by the board. General witness testimony is limited to facts, not opinions. For certain topics, this board needs to hear opinion testimony from expert witnesses. These topics include projections about impacts on property values and projections about impacts of increased traffic. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their expert opinion. "Witnesses must swear or affirm their testimony. Witnesses must be recognized by the Chair and speak into the microphone and begin their testimony with their name and address. The Secretary will use that information to write the minutes. We will administer the oath for all individuals who intend to provide witness testimony."

Conflict of Interest:

Chair Mitchell asked if there was any conflict of interest among the Commissioners pertaining to the cases being heard tonight (COA-18-19, COA-18-22, COA- 18-26 and COA- 18-20.) Commissioner Nestor noted he is the property owner of 111-113 Wicker Street –COA 18-20 and he will recuse himself from this hearing.

Chair Mitchell opened the Public Hearing:

COA -18-19 – A certificate of Appropriateness application from David Siler, property owner of 221 N. Horner Blvd. who wishes to remove one Oak tree in excess of 8 inches in caliper at breast height located in the south side yard.

In accordance with the General Statutes, the public hearing was advertised once a week for two successive calendar weeks prior to the meeting date and all public notifications were fulfilled. Staff Whitmore asked to add a correction. She stated after the staff report had been sent out that she received an email from the Sanford Herald stating that they could not advertise on the second Wednesday April 18th; but they would advertise on Thursday, April, 19th.

Staff Whitmore noted that the property is 221 N. Horner Blvd. and it is surrounded by historic properties on the south, north and west side, and on the east side they are non-historic properties.

Commissioner Whitaker noted that she was an adjacent property owner and asked if she needed to be recused. Commission Attorney Benshoff relayed that if the decision of the Commission affects the financial well-being of your employer or your immediate family you should asked to be recused; if not then the standard is, can you be fair on your decision based on the evidence that you hear tonight? Commissioner Whitaker stated based on what Commission Attorney Benshoff said; that she did not feel the need to recuse herself.

Staff Whitmore noted that the guidelines important to this case are: on page 3.

2. Landscaping and Trees

Mature trees, shrubs and ground cover help to define and enhance the character of a historic district.

Guidelines:

- a. It is appropriate to protect, retain, and maintain landscaping that contributes to the character of the historic district. This includes large trees and original or historically significant trellises, patios, terraces, and fountains. Staff noted that the applicant is proposing to remove one Oak tree, (Exhibits A, B, C, D, E – pages 9-12) in excess of 18 to 24 inches in diameter, over 8 inches at breast height. Staff stated that Exhibit A, page 9 is the front façade of the house and the tree in question is quite large. Exhibit B, page 10, shows the tree about six feet off the south side of the house, and the one path-way of concrete is broken up. Exhibit C, page 11 is a better view of how close the tree is to the house. Exhibit D, page 12, shows the mass of the tree, Exhibit E, page 13, is a photo of the tree from the tree survey from 2008 and at this time, it was deemed in good condition.
- b. It is appropriate to preserve, protect and retain historic hardscape materials, such as brick and granite pavers. (Note: this guideline does not apply; because there are no historic granite pavers; however, there is the driveway and it is broken up.)
- c. Staff noted that it speaks of gazebos in front yards. Staff noted there are no gazebos on this property; therefore, this guideline does not apply.
- d. Speaks about playground equipment and that guideline does not apply.
- e. It is appropriate to maintain the existing grade on the site when technically feasible. Staff noted that should the removal of the Oak tree be approved by the Commission, the applicant shall have the stump ground and the area should be leveled and reseeded or sodded to avoid erosion (Exhibit C, page 11.)
- f. It is appropriate that mature, healthy trees should remain intact and undisturbed on a site, unless they are causing the deterioration of a building, accessory buildings, appurtenant features or creating a safety hazard. (The Oak tree has damaged the driveway (Exhibits B and C – pages 10-11) which impedes the owner and delivery trucks from using said driveway. The tree is approximately 90 feet tall with a canopy of at least 60 feet wide and the tree is about 6 feet away from the south foundation wall (Exhibits A, B and C, pages 9-11.) Staff noted she did not see any damage to the foundation at this time, however should this tree fall or drop limbs the potential for damage is probable.
- g. Trees which are dead or diseased should be replaced with an appropriate tree. This tree is neither dead nor diseased. The applicant has not proposed a replacement tree. The applicant should plant one ornamental tree back.

- h. Tree removal shall be completed in a manner so that the affected area seems original to the landscape. The applicant is proposing to remove that Oak tree and staff would recommend that the stump be removed, and the area sodded or seeded to avoid erosion. Staff noted that i, j, and k guidelines does not apply.

Staff Whitmore recommends an ornamental tree be planted on the property to maintain the districts tree canopy (i.e. Dogwood, Redbud, Crepe myrtle, etc.) The applicant shall work with city staff in the selection of the variety and the caliper of the tree to ensure its viability.

Chair Mitchell asked if there were any questions for staff.

Commissioner Yarborough stated that it looked like water was going into the basement and he asked Staff Whitmore if she saw any sufficient damage in the house? Staff Whitmore relayed that she did not go into the house, but the applicant Mr. Siler told her it was causing water to go inside of the house; therefore, you would assume that there is some type of foundation damage. Staff Whitmore relayed that the applicant Mr. Siler can further explain if there is foundation damage. Commissioner Stoch asked staff if the driveway was original? Staff said that she did not know, but she would deem that it is of historic due to the style of driveway, since the house was built in 1925.

Chair Mitchell asked if there were any other questions for staff. There was none.

Applicant, David Siler approached the podium. Commissioner Gordon asked Mr. Siler if he would be opposed to working with staff in planting a small ornamental tree and he stated no; but he does need to correct one thing. Mr. Siler stated his intention is to remove the tree and put the driveway back in; because right now the driveway is unusable, and we are a business and we have Fed-EX and UPS trucks coming in and out all day long and they have to pull in and back out onto Green Street. He added he would like them to be able to pull in and pull all the way through. He stated he would be happy to put in a tree somewhere else and have the stump removed. Mr. Siler explained that it was not truly a driveway, but two runners and the tree has pushed one of them all the way in and that has made it difficult for trucks to get through. He stated there is a concern that the tree may fall, and he does share the driveway with his neighbor. Mr. Siler noted that when he takes the tree down, that he may be able to put the driveway on his side of the property. Commissioner Nestor stated that tonight the intent is to approve the removal of the tree; and anything with the driveway will need to be approved by staff. Commissioner Yarborough asked whether or not it was on the deed that it was a shared driveway and Mr. Siler stated no. He noted that about 80% percent of the driveway is on his property and only about 20% is on the neighbor's property. Commissioner Yarborough asked the applicant if the tree had caused his basement to leak. Mr. Siler indicated that he had installed a \$5,000.00 sump pump, because when it rains hard, right there where the tree is, is the area where a lot of water comes into the basement. He said he could not swear the tree causes it; but the tree is right there next to the house. Commissioner Yarborough asked once the tree is removed would he be able to fix that? Mr. Siler stated he has installed a sump pump. Commissioner Yarborough asked if the tree was leaning towards his neighbor's house and Commissioner Nestor asked if the tree has been losing limbs? Mr. Siler indicated it has been dropping little limbs, it is getting overgrown and it looks like it could have been pruned about seven to ten years ago.

Chair Mitchell Closed the Public Hearing.

No other discussion was held among the commission.

FINDING OF FACT:

Commissioner Gordon moved in regards to COA-18-19, 221 N. Horner Blvd. that the Historic Preservation Commission find as fact that the removal of one Oak tree and the planting of one ornamental tree if done in accordance with the decision by the Historic Preservation Commission are congruous with the character of the district, for the reason that the Post Oak tree has damaged the driveway, possible damaged to the foundation where the water is going in; has certainly damaged the Hollywood driveway, the tree appears to be overgrown, the applicant has agreed to grind the stump, replace the tree as directed by staff and plant an ornamental tree recommended by staff to retain the tree canopy. Height is not a factor, setbacks are not a factor, materials and patterns are not a factor and that there is only one factor that is the appurtenant Features and Fixtures for the project. Therefore, the request is generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole; seconded by Commissioner Nestor and it passed unanimously.

FINAL MOTION:

Commissioner Gordon moved that based on the preceding findings of fact, that the Historic Preservation Commission grant a Certificate of Appropriateness to David Siler and approve the proposal(s) as shown in COA-18-19, 221 N. Horner Blvd.; seconded by Commissioner Yarborough and it passed unanimously.

Applicant, David Siler leaves.

COA-18-22 – A Certificate of Appropriateness was received from Renee Fincher property owner of 226 Carthage Street who wishes to paint the trim black, install a black metal canopy on the front façade of 226 Carthage Street which will project 4 feet from the front façade. And install a sign ('La Dolce Vita') which will be metal and will be installed on top of the metal canopy on the front edge. Also, install black awnings on the two windows on the front façade. Install a dumpster enclosure which will be tall enough to screen said dumpster (generally the screen needs to be 8 feet tall to ensure the dumpster is screened.) Install two spotlights in the ground to highlight the front façade of the building. Install black metal planter boxes between the poles on the rear loading dock that will be seven feet tall and two feet wide which will serve as a railing to ensure safety.

In accordance with the General Statutes, the public hearing was advertised once a week for two successive calendar weeks prior to the meeting date and all public notifications were fulfilled. Staff Whitmore noted that she would like to add one correction. She stated after the staff report had been sent out that she received an email from the Sanford Herald that they could not advertise on the second Wednesday; but they advertised on Thursday, April 19th instead.

Staff Whitmore noted that the 226 Carthage Street, Federal Building is the old Post Office –ca. 1935 and the surrounding properties are all in the historic district.

Downtown Guidelines important to this case include:

1. The proportion, shape, positioning, and location, pattern, and size of fenestration (windows and wooden doors.) No window or new doors are proposed; therefore, this guideline does not apply.
2. Accessory fixtures and site features, including lighting, awnings, fences, landscaping, utilities and other features covered by the design guidelines. The applicant is proposing to paint all trim black, install two black metal awnings over two windows, install a third awning that will extend 4 feet from the front façade of the building which will cover the entrance and a window on either side of the entrance. Staff noted there are four windows across the front of the building, with two on the outer side will not be covered by these awnings, they will have their own separate awning. Black shutters will be added to all four front façade windows (Exhibits A and B, pages 9 and 10. A metal sign 'La Dolce Vita' is proposed to be installed on the top front edge of said awning (Exhibit B, page 10.) The applicant is not proposing to remove the gold eagle from the front of the building. The sign will obscure the eagle from view (Exhibit B, page 10.) On the rear loading dock two large metal planters will be installed approximately seven feet long and two feet wide which shall be planted (Exhibit C page 11.) These planter boxes will also provide a 'safety rail' to protect employees and customers from potentially falling off the dock. The applicant has stated that there will not be any outside eating, that the loading dock may be used as a waiting area when busy. The concrete steps on the east of the loading dock will be enlarged (Exhibit D, page 12 Site Plan.) Staff noted it was circled in blue on the application. A trash dumpster enclosure will be installed at the northeast corner of the property (Exhibit E, page 13) on the existing parking lot and it shall be tall enough to hide from view the entire dumpster. Typically, an eight-foot-high enclosure is required to ensure the actual dumpster is hidden from view (Exhibits F, G and H pages 14-16.) Staff noted that on page 15, (Exhibit G) is the picture of the actual dumpster screen and it is 8 feet high and it hides the dumpster. Page 16, (Exhibit H) shows an example of a shorter dumpster. The application does not state what materials will be used to install the trash dumpster's enclosure. Staff recommends the enclosure be built of wood with bollards at the corners to protect the enclosure from vehicles. Two spotlights will be installed in the front yard to illuminate the front façade. The applicant should provide details for the trash dumpster enclosure including materials, height and bollard selection prior to a COA being released.

Chair Mitchell asked if there were any questions for staff.

Commissioner Gordon asked staff other than the dumpsters complying what did she think about the materials being used for the awning? Staff Whitmore noted that there are other metal awnings in the downtown district and these will be acceptable with the black trim. Commissioner Nestor asked staff Whitmore, that if this is approved tonight; would she think that she would have any problems with the applicant on the dumpster enclosure? Staff Whitmore noted prior to a Certificate of Appropriateness that details of the trash dumpster enclosures including materials, height, and bollard, selection would be approved by staff as a condition. Commissioner Stoch asked whether that was the original façade of the building and whether or not anything will be taken down or covered? Staff noted that nothing will be covered in metal; it will be painted. The metal awning will be placed out over the steps that go out the front. Commissioner Stoch asked how and where the metal awning would be attached. Staff Whitmore asked everyone to look at

page 10 (Exhibit B.) The metal awning will be constructed right underneath the half-moon pediment. Staff noted that the sign will obscure the gold eagle; but the eagle will not be removed. Staff asked everyone to look at page 9 (Exhibit A). You can see the door that is next to the two windows, that is where the metal awning will go across. Commissioner Stoch stated that it is going to change the character of the building somewhat; not color; but I see it changing the integrity and character and wonder if that is keeping in character with the historic nature of the building? Commissioner Yarborough asked Commissioner Stoch if it is the lettering covering the eagle? Commissioner Stoch said it was more that the awning is huge and when you look at it from the street; it is more or less going to mask the half semi-circle at the top; and it will mask the existing pillars and it will affect the entry façade. Commissioner Nestor noted there is an overhang now on the building and that the façade is flush with the brick, so they are going to surface mount a new awning over this. That building has never had any coverage when you walked in. Commissioner Stoch reiterated that it does change the character. Commissioner Yarborough shared that there is a difference, because you are going from a Post Office to a restaurant; and you do lose some character; but his thoughts were that the awning and the lettering would be appropriate for the building; but it does obscure the eagle. Staff Whitmore relayed again that the eagle will not be removed but obscured. Commissioner Whitaker asked staff if the request we have before us is to paint all the trim black; but the rendering looks like the half-moon over the door will remain white. Staff Whitmore stated to her knowledge it will be left white and asked that the question be directed to Ms. Fincher.

Mrs. Fincher approached the podium. She said the application states two black metal awnings were requested over two windows, but they are actually canvas (See Application page 2.). Mrs. Fincher stated there are no plans to add black shutters. Commissioner Stoch reiterated that the request is for two black awnings over two exterior windows, no shutters at all and no existing shutters? Mrs. Fincher stated that was correct. Mrs. Fincher noted that they wanted to paint the window black as noted on page 10 (Exhibit B.) Commissioner Gordon asked Mrs. Fincher if they were going to paint that white where the eagle is? Mrs. Fincher said she was going to paint it black; but she is going to leave that open. Commissioner Stoch asked if that was wood or stone there and Mrs. Fincher noted it was wood and the trim at the top of the triangle's pediment is wood; therefore; only the wood would be painted, and then the metal railing and light post that is already black will be repainted. Commissioner Gordon noted that he doesn't have a preference about the paint color. Commissioner Stoch asked the applicant how far off the wall is the awning going to extend from the building? She stated four feet. Commissioner Stoch asked if one is standing on the sidewalk on that side of the street, looking at the building, is the awning blocking the view of the pediment and eagle, or if it is visible, very little would be visible, and he wanted to know would that be a true statement? Mrs. Fincher noted that she couldn't answer that question fully; because it basically would depend on where you stand and the angle. Commissioner Nestor asked if that is going to cover the front door, and if you will have canvas on both sides over the windows and metal in the center and will the attachment to the building be on a float coming down. Mrs. Fincher noted yes, that the awning will be flat on the front; bolted to the wall and bolted over the top. Councilman Gaskins asked Mrs. Fincher if that top area that is there and it is three to four feet covering the flat landing? She stated she did not know. Commissioner Stoch asked if the pillars on the existing facade were wood and if the intent was to paint them black and she stated yes (Page 10, Exhibit A.) Commissioner Whitaker asked whether the front of the building (page 9, Exhibit A) is intended to be a public entrance into the building or would it be the other side where you had mentioned having an outdoor waiting space? Mrs. Fincher relayed that the outdoor

waiting space out back may be utilized more because that is where parking is available. Staff Whitmore noted that Mr. Gaskins question was, does the awning protect the landing to the front door and it was noted it would and it is about four feet deep; but it would not cover the steps.

Chair Mitchell asked if anyone else had any other questions. Chair Mitchell asked Ms. Fincher, the applicant about how easily the proposed changes could be removed if you no longer owned the building. Mrs. Fincher said she thought it would be fairly easy.

Chair Mitchell closed the Public Hearing.

Discussion continued among the board and they agreed and shared positive remarks about how the building is being repurposed that is being purposed in COA-18-22.

FINDING OF FACT:

Commissioner Nestor moved in regards to COA-18-22, 226 Carthage Street that the Historic Preservation Commission grant a Certificate of Appropriateness (COA 18-22) to Renee Fincher for the painting of the trim black, the installation of two black canvas awnings over the windows to the right and the left on the front facade of the building and the installation of a metal awning that will protrude four feet from the front façade and will cover the entrance and a window on either side of the entrance. It is a flat awning. There will be installation of two planter boxes that will be planted with evergreens as shown in (Exhibit C) page 11. The planter boxes on the rear loading dock will be 7 feet long and two feet wide, that will act as a railing to protect customers and employees from falling off the existing loading dock. Installation of new concrete steps which will be wider than the existing steps and installation of the trash dumpster's enclosures with protective bollards to be located on the north-east corner of the existing parking lot. (Exhibit E page 13.) Installation of two spotlights in the front yard to illuminate the front façade, when completed in accordance with the Downtown Design Guidelines and the decision of Commission is congruous with the character of the Historic District due to the facts that the recommended color being black and the awning being canvas and or metal are deem to be congruous and in general harmony with the criteria in the design guidelines and the special character of the neighboring properties, and the historic district as a whole; seconded by Commissioner Stoch and it passed unanimously.

FINAL MOTION:

Commissioner Nestor moved based on the preceding finding(s) of fact, that the Historic Preservation Commission grant a Certificate of Appropriateness COA-18-22) to Renee Fincher with the following conditions:

Prior to the COA Placard being released the applicant shall provide the following to staff for review:

- a. Details of the trash dumpster enclosure which shall include, material list, and dimensions, including the height of said enclosure.
- b. Provide a detail of the bollard to be installed to protect the dumpster enclosure from vehicle damage.
- c. Provide a site plan that shows the location of two spotlights to be installed in the front yard.

Seconded by Commissioner Stoch and it passed unanimously.

Applicant, Renee Fincher and Amy Dalrymple leave at this time.

COA- 18-26- A Certificate of Appropriateness, at 132 S. Steele Street was received from Brandon Atkins who wishes to install a metal awning on the west side of the Super Ten store located at 132 S. Steele Street. This awning is not on Steele Street, it will be on the back side of the building.

In accordance with the General Statutes, the public hearing was advertised once a week for two successive calendar weeks prior to the meeting date and all public notifications were fulfilled. She stated after the staff report had been sent out that she received an email from the Sanford Herald that they could not advertised on the second Wednesday; but they advertised on Thursday, April 19th instead.

Staff Whitmore stated that the property was built in 1923 and is a contributing structure to the district.

Staff Whitmore noted that the guidelines important to this case are: Page 2, (Signs & Awnings)

1. Signs and awnings shall be compatible with the structure in size, scale, style, material and graphics. Exhibit A, page 8 is the front façade of 132 S. Steele Street. The proposed awning is metal, dark brown and has a flat roof and appears to be compatible with the structure in size, scale, and style (Exhibit C, page 9.) However, this will be the first metal awning on the rear façade (Exhibit B, page 8) of the buildings located on the backside of S. Steele Street facing Horner Blvd.
2. Does not apply.
3. The location of new signs and awnings on commercial buildings shall conform to the appropriate placement of signs and awnings on historic buildings. (The location of the proposed awning is appropriate.) Exhibit C, page 9. Guidelines 4, 5, 6, 7 and 8 do not apply.

Chair Mitchell asked if there were any questions for staff:

Commissioner Yarborough asked if there had ever been an awning there before? Staff Whitmore noted that it will be the first metal awning on the back side of a building downtown. (Page 8, (Exhibit B.) Staff Whitmore stated on page 9, (Exhibit C) is a sample, proposed metal awning and the location is on page 8, at the top of the stairs.

Applicant, Brandon Atkins approaches the podium.

Commissioner Stoch asked if the awning would cover the landing? Mr. Atkins stated yes that over this loading dock footprint it goes over the entire loading dock to prevent merchandise from getting wet while unloading and loading. Mr. Atkins stated that there was an awning back there; and it has been damage by different types of weather.

Chair Mitchell closed the Public Hearing.

No other discussion among the Commission.

FINDING OF FACT:

Commissioner Stoch moved in regards to COA-18-26, 132 S. Steele Street, that the Historic Preservation Commission find as fact that the installation of a dark brown metal awning with metal supports, is in accordance with the Downtown Design Guidelines and the decision of the Commission, it is congruous with the character of the Historic District as there are other metal awnings downtown; although this is the first one on the back side and it is effectively replacing an awning that was there years ago; and therefore it is generally in harmony with the criteria in the design guidelines, the special character of the neighboring properties, and the historic district as a whole; seconded by Commissioner Whitaker and it passed unanimously.

FINAL MOTION:

Commissioner Stoch moved based on the preceding finding(s) of fact, that the Historic Preservation Commission grant a Certificate of Appropriateness to property owner Brandon Atkins as shown in COA- 18-26, 132 S. Steele Street; seconded by Commissioner Whitaker and it passed unanimously.

Applicant Brandon Atkins leave at this time.

Commissioner Gordon made a motion to recuse, Commissioner David Nestor for COA-12-20, property owner of 111-113 Wicker Street; seconded by Commissioner Whitaker and it passed unanimously.

COA-18-20- A Certificate of Appropriateness was received by David Nestor, property owner of 111-113 Wicker Street who wishes to improve the south and east facing facades which includes the following; remove existing wood infills and bars at the windows, repair brick where damaged to match existing brick. Replace the wood door with a metal door, install two industrial steel panels, and install four new steel frame windows, three on the south facing façade and one on the east facing façade. Replace center downspout on the south facing facade.

In accordance with the General Statutes, the public hearing was advertised once a week for two successive calendar weeks prior to the meeting date and all public notifications were fulfilled. She stated after the staff report had been sent out that she received an email from the Sanford Herald that they could not advertised on the second Wednesday; but they advertised on Thursday, April 19th instead.

Staff Whitmore stated that the property is a noncontributing commercial building that was built in 1940. The east, south and west are contributing structures.

Staff Whitmore noted that the Downtown Guidelines important to this case are on Page 2.

SUBJECT: d. Windows and Openings:

1. Do not replace historic windows with contemporary treatments. The applicant is proposing to remove the bars and boarded windows on the south facing façade and the one window on the east facing façade and install 4 steel framed windows in these locations (Exhibits A, B, C and D pages 8-11.) Staff stated on page 8, (Exhibit A) is the existing condition and on page 9, (Exhibit B) shows the proposed windows and

- doors. Page 10, (Exhibit C) is the East facing façade before and on page 11; (Exhibit D) would be after.
4. The applicant is proposing to uncover existing windows and openings; however, replacement windows or industrial covers will be installed in these openings which shall be steel frame windows or steel panels (Exhibits A, B, C, & D pages 8-11.) Staff relayed that these windows have been covered up for quite some time; however, there is nothing behind those windows that tell us how many panes or how many lights were there.
 7. Do not use darkened or shaded glass as replacements for clear glass. The applicant has not indicated what type of glass will be installed with the steel framed windows. They should not be darkened or shaded or tinted.
 - i. Utilities:

The existing utility lines have not been located underground; the applicant has stated in their application that they will do their best to clean up unused gas lines and electrical conduits (Exhibits A and C, pages 8 and 10.) Staff noted that they are going to look at the existing utilities at the back of the building to determine which ones are live and which ones are not live. Staff recommends that the applicant remove all utility lines that are not currently in use such as gas lines and electrical conduits (Exhibits A and C pages 8 and 10.)

Chair Mitchell asked if there any questions for staff.

Commissioner Stoch asked about the other two windows on the back side on pages 8 & 9, (Exhibits A & B.) Staff stated that the one above the door and the window in between the two nine pane windows will be steel panels and the door will be replaced with a steel door. Commissioner Whitaker asked whether or not those two are currently steel panels or will they be replaced? Staff noted that the two windows shown on Page 8, (Exhibit A) are wood. Commissioner Stoch asked staff Whitmore if she knew what they had been used for before? Staff stated she did not know.

Applicant David Nestor approached the podium for questions from the Commission. Mr. Nestor stated originally that building was a dry-cleaner. He noted that one of the biggest contractors was Fort Bragg, and they used to do uniforms for people in service. Mr. Nestor stated that on page 8, (Exhibit A) the two panels that appear to be white are painted wood now, used to be exhaust fans and if you look to the left on page 8, (Exhibit A) you have a metal frame windows that exist on the building next door. He added that they wanted to match this up to make it look similar. He noted when you go to page 9, (Exhibit B) those three new windows will look like those existing ones to the left. He stated obviously he is not going to put any fans back in there, but to put back a couple of windows that look like metal panels that would be painted black. He added that he could brick it back up; but then it would look like a brick patch. Mr. Nestor shared that he wanted to maintain some of the industrial character that used to exist on the back side of that building, by going ahead and putting a couple of metal panels in there and they will be backed up on the inside with insulation and framing to maintain the integrity of the building.

Mr. Nestor noted that on page 10, (Exhibit C) there was a garage door at one point or time; but it now has been replaced with plywood. He stated that eventually they would put a garage door in

there or double doors and at this point and time he noted that they were not going to do anything with that opening other than putting the metal windows to the right with clear glass. He stated it depends on what the use ends up being. Mr. Nestor shared that the City of Sanford has spoken about buying these parking lots, paving them and improving them; so, there is a chance that the back side of these buildings could become retail and we don't know what use it may be, so at this point and time we do not want to make an investment in those doors. The metal frames that are going in will be made to compliment the look that was previously there. Commissioner Gordon asked if the glass would be clear glass in everything that is being proposed and applicant David Nestor stated yes. Commissioner Gordon asked Mr. Nestor if he was ok with removing the utility lines electrical conduit, gas, etc. He stated yes. Mr. Nestor noted they are going to clean up the property by removing all of the utility lines not being used, etc.

There were no other questions for the applicant.

Applicant, David Nestor stepped out of the room.

Chair Mitchell closed the Public Hearing.

Commissioners held a discussion and a decision was made and they agreed for the applicant to proceed.

FINDING OF FACT:

Commissioner Yarborough moved in regard to COA- 18-20, 111-113 Wicker Street, that the Historic Preservation Commission find as fact that the proposed work is to improve the south and east facing facades (the rear and side of the building) which includes the following: remove existing wood infills and bars at the windows and repair brick where damaged. Replace the wood door with a metal door, install two industrial panels, and install four new steel frame windows, three on the south facing façade and one on the east facing façade, replace center downspout on the south facing façade are in accordance with the Downtown Design Guidelines and the decision of Commission, and therefore is congruous with the character of the Historic District and is generally in harmony with the criteria in the design guidelines, the special character of the neighboring properties, and the historic district as a whole; seconded by Commissioner Allen Gordon and it passed unanimously.

FINAL MOTION:

Commissioner Yarborough moved based on the preceding finding(s) of fact, that the Historic Preservation Commission grant a Certificate of Appropriateness to property owner David Nestor; seconded by Commissioner Gordon and it passed unanimously.

Commissioner David Nestor returns back to the table.

5. **Old Business:** N/A

6. **New Business:**

- a. Staff Update: Staff Whitmore provided updates on Minor and Major COA's included by reference.

7. N/A

8. CLOSED SESSION

Attorney Commission, Al Benshoff provided a copy of how you conduct a Quasi-Judicial Hearing and how it flows. He requested the Commission to study and review the procedure (Reference: Chapter 4) for the meeting that is to be held on April 24th, 2018. The Continuation of COA-18-27- (W. B. Wicker School) scheduled for 04-24-2018.

9. Announcements: N/A

10. Call for Adjournment:

Chair Mitchell called for adjournment. Commissioner Allen Gordon moved to adjourn; seconded by Commissioner David Nestor and the motion passed unanimously. The meeting adjourned at 8:45 pm.

Adopted this 25 day of June 2018

Respectfully submitted:



Chair: Brian Mitchell

Attest: Anne Sears

Secretary to the Commission: Anne Sears