

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD HISTORIC PRESERVATION COMMISSION
7:00 PM, MONDAY, APRIL 28, 2008
WEST END CONFERENCE ROOM
SANFORD MUNICIPAL BUILDING**

Roll Call

Members Present: Matthew Sakurada, Al Roethlisberger, Tim Mercer,
Michael Humphrey, Peter Thompson, Mark West

Members Absent: Laura Younger

Staff Present: David Montgomery, Bruno Pursche

Public officials: Charles Taylor (City Councilman)

Citizens: Scott & Cheri Myers, Brent Myers, Alice Keifer, Shelley
Nichols, Craig Peterson, Kathy Carroll, Lydia Warren,
Mr. Finch

**APPROVAL OF THE PREVIOUS MEETING MINUTES FOR MARCH 24, 2008
AND THE AGENDA FOR APRIL 28, 2008**

Chair Matthew Sakurada called the meeting to order, and called the roll.

Chair Matthew Sakurada asked if there were any additions/deletions to the agenda for April 28, 2008 meeting. There being none Chair Sakurada entertained a motion to approve the agenda. Commission member Mike Humphrey moved that the agenda be approved and seconded by Al Roethlisberger, member, and the motion carried unanimously.

Chair Matthew Sakurada asked the Commission if there were any additions/deletions to the previous meeting minutes for February 25, 2008. There being none Chair Sakurada entertained a motion to approve the minutes. Commission member Pete Thompson, moved that the minutes be approved and seconded by Mike Humphrey, member and the motion carried unanimously.

REGULAR AGENDA:

Matthew welcomed the guests and had them sworn in to testify for the public hearing.

PUBLIC HEARINGS:

- **Review of Application for Certificate of Appropriateness COA-08-05** submitted by City of Sanford, Lessees of 106 Carthage Street, who wish to remove two dying oak trees from the front of the property.

David Montgomery, Staff, summarized the COA-08-05 staff report. He made comments and recommendations that Appurtenant Features & Fixtures of the project were factors in the case.

Mike mentioned that he believed that the installed lighting on the tree as a possible reason for the trees' demise and future placement of new trees. Al questioned what the importance was of taking both trees down at the same time; he believed that the tree closest to the Railroad House was still viable and just needed trimming of its dead branches. Al had concern about the replacement by a red maple tree and that they may obstruct the architectural outline of the depot at maturity. A ginkgo tree would take three times as long to reach full maturity.

Matthew Sakurda, Chairman, opened the public hearing. Shelley Nichols stated she was in favor of cutting trees. Woody Seymour had commented to David through a third party that he would like to remove the really visible dying tree but keep the healthy one. David Stalker had sent a memo dated April 2, 2008 which was read to the commission by David Montgomery; the letter addressed all the cases that were to be heard that evening. **The public hearing portion was closed by Matthew Sakurada, Chairperson.**

Mike questioned liability regarding falling limbs; David stated several limbs had fallen last year from the tree. Al opined he would like the tree on left to remain and the tree on right be removed and replaced with a similar variety that would match in scale to what was removed at maturity. Charles Taylor would see about grants which would assist in reducing the cost of tree removal. Mike opined that he would like to see only the sick one removed as well.

FINDING OF FACT: Al Roethlisberger, Member, moved that the Historic Preservation Commission find as fact that the proposed project COA 8-05 110 Charlotte Avenue, if constructed according to the plans reviewed and amended to only remove the one visible dying tree on the right and prune the tree on the left as needed, is congruous with the character of the district for the reasons that the tree is diseased, will fit the general form and proportions and appurtenant features in accordance with the design guidelines for the historic district and is generally in harmony with the criteria of the special character of the neighboring properties and the historic district as a whole. Member Mike Humphrey seconded, and the motion passed unanimously.

DECISION: Based on the preceding findings of fact, Al Roethlisberger, Member, moved that the Historic Preservation Commission grant a Certificate of Appropriateness for COA #08-05 for 110 Charlotte Avenue subject to the following conditions: that the diseased tree on the right as be removed and replaced with a similar species of tree that will reach a similar proportion in height as the existing tree and that the tree on the left is pruned and or treated such that it can be maintained ongoing until a future date when it may be removed. Member Pete Thompson seconded, and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness**

COA-08-15 submitted by Jeff Cashion of 313 Green Street, who wishes to remove an old storage building to the rear of the property & rotting wooden fence. Mike Humphrey, Member moved to table COA 08-15 to the next month's meeting since the owner was not present at the meeting. Member Pete Thompson seconded, and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness COA-08-19**

submitted by Scott & Cheryl Myers of 314 Summitt Drive, who wish to replace the fiberboard in the front dormer with hardiplank siding.

David Montgomery, Staff, summarized the COA-08-19 staff report. He made comments and recommendations that materials, patterns, textures and colors were factors in the case.

Due to a conflict of interest Al Roethlisberger, Member recused himself for COA 08-19, 08-20 and 08-22; Pete Thompson, Member moved that Al Roethlisberger be recused from COA 08-19, 08-20, and 08-22; Member Mark West seconded and the motion past unanimously.

Matthew Sakurda, Chairman, opened the public hearing. Scott Myers explained the use of hardi plank siding as an alternative for replacement of the rotting fiberboard; the soffit eaves will remain wood. Scott has no objection to using the smooth sided hardiboard.

Lydia Warren questioned the different materials being used on this house. What is there right now is an inferior product. Alice Keifer spoke on behalf of Scott as a neighbor that they had no objection. **The public hearing portion was closed by Matthew Sakurada, Chairperson.**

Mike stated that it is not the board's position to dictate materials but just rule that it is an appropriate material. Pete questioned previous approval of hardiplank use; David responded in the affirmative.

FINDING OF FACT: Member Pete Thompson moved that the Historic Preservation Commission find as fact that the proposed project COA 08-19, 314 Summitt Drive, if constructed according to the plans reviewed, is congruous with the character of the district, that the materials being used is an approved material which has been previously approved in other COAs by the Historic Preservation Commission, is generally in harmony with the criteria of the design guidelines for the historic district, and is generally in harmony with the criteria of the special character of the neighboring properties and the historic district as a whole. Tim Mercer, Member seconded and the motion passed unanimously.

DECISION: Based on the preceding finding of fact, Member Pete Thompson moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Scott & Cheryl Myers and approve the proposal as shown in application COA 08-19, 314 Summitt Drive. Mark West, Member seconded, and the motion passed unanimously.

- **Review of Application for Certificate of Appropriateness COA-08-20** submitted by Scott & Cheryl Myers of 314 Summitt Drive, who wish to renovate a deck to the rear of the residence.

David Montgomery, staff, summarized the COA 08-20 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, architectural detailing, and general form & proportions of buildings & structures were factors in this case.

There is a side setback discrepancy between the GIS and survey. Mike questioned whether this was an after the fact COA. David had contacted the owners on other issues, as well as the deck, and they agreed to bring this deck project before the commission along with the other issues.

Matthew Sakurda, Chairman, opened the public hearing. The Myers explained that prior to 2003, the existing deck was altered and renovated over the years to make it larger and for the stairwell to be opened up. In 1989 when the Myers moved into the house, it was constructed with metal framing with wood deck boards. The Myers tore that down because it was rotting and they didn't want their children to get hurt. Scott hired someone in 1990 to replace the metal posts with wood. In 2002 after graduation and before he went to basic training our son replaced bad deck boards with a wood composite decking. In 2007 he started to put the handrails on and David stated we needed a COA and for us to stop working on it. We have not done anything to it since last summer. Cheryl stated that when the historic commission came about, we were told that you did not have worry about things in the back yard; you only had to worry about the part that faced the street. It was the consensus of the Commission that they needed to consider the railing, stairs,

banisters and the lattice for this COA since this was all the work that had been completed since the local designation was adopted in 1997.

Alice Keifer spoke on behalf of Scott & Cheryl Myers that their COA for the deck be approved. Scott stated that if approved, this project would be completed most likely before the end of May. According to Cheryl Myers in the summer of 2002 the steps were done, prior to her son going to basic training. **Public hearing portion was closed by Matthew Sakurada, Chairperson.**

There was a general consensus that as long as building permits are applied for and setbacks are met there should be no problem with this project.

FINDING of FACT: Member Mark West moved that the Historic Preservation Commission find as fact that the proposed project COA 08-20 at 314 Summitt Drive, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that the height setback and placement, materials, patterns, textures and colors, architectural detailing, and general form and proportions and structures of the project are 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. Tim Mercer, member seconded and the motion passed unanimously.

DECISION: Based on the preceding finding of fact, Member Mark West moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Scott & Cheryl Myers and approve COA 08-20 at 314 Summitt Drive with the following conditions: that the applicant agree to abide to the conditions of all current building permits and codes as described herein in the earlier discussion. Pete Thompson, Member seconded, and the motion passed unanimously.

- **Review of application for Certificate of Appropriates COA 08-22** submitted by Scott & Cheryl Myers of 314 Summitt Drive, who wish to install a temporary wire fence in the front yard.

David Montgomery, staff, summarized the COA 08-22 staff report. He made comments and recommendations that height, setback & placement, materials, patterns, textures, & colors, architectural detailing, and appurtenant features & fixtures were factors in this case.

Matthew Sakurda, Chairman, opened the public hearing. Cheryl presented to the commission that she has a 19 year old miniature schnauzer which is both deaf and blind and has been going out the front door because we haven't been able to use the back door and she is not accustomed to it. She was attacked by a pit-bull last year; that is when the Myers put up the 11' X 11' 18

inch temporary fence for her safety; she has been using the front yard for 8 years. The entire fence can be taken down in about five minutes. Mike questioned whether the fence could be located in the backyard and the dog retrained; according to Mike's wife, who works in veterinary medicine, the animal can be retrained; a blind/deaf animal will adapt much faster than one that can see and hear. They have to be walked through it a few times but will learn it in very short order normally, which may not be the case here. Cheryl wanted to know what was so intrusive about the present situation; to which there was no response, except to meet guidelines. Cheryl didn't believe the guidelines addressed temporary fences. The dog is very skittish and she didn't want to change the dog's environment.

Cathy Carol hardly recognizes the fence when she goes by and has no problem with it. Sherry Nichols has had a lot of experience with dogs; but due to the age of the dog and trying to make the dog most comfortable the fence is temporary and will come down when the dog passes. She saw no problem with it. Alice Keifer concurred that she would rather see the dog protected rather than see all the dogs that are running loose in the neighborhood. Scott stated they hadn't considered putting the dog down since the dog is still active. David stated he received a call from Mr. Kitts and he was wondering whether fence could be moved to the back yard; but he was not adamant about it. Mike Humphrey stated he had calls regarding the fence and why it couldn't be moved. **The public hearing portion was closed by Matthew Sakurada, Chairperson.**

A discussion took place among the commissioners regarding this situation and alternatives. Mike Humphrey stated he didn't feel the front yard was the right place for this fence and that it does not meet section 4 of the fence guidelines.

FINDING of FACT: Member Pete Thompson moved that the Historic Preservation Commission find as fact that the proposed project COA 08-22 at 314 Summitt Drive, if constructed according to the plans reviewed, is congruous with character of the district, for the reasons that it is only a temporary fence eighteen inches high, that there is no guideline for a temporary fence in the front yard; and that a year from today this commission will reconsider the status of the pet and fence for which this finding of fact is being considered. Tim Mercer, Member seconded, the motion carried with Michael Humphrey opposing.

DECISION: Based on the preceding finding of fact, Member Pete Thompson moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Scott and Cheryl Myers for COA 08-22 at 314 Summitt Drive with the condition that a year from today this commission will reconsider the status of the pet and fence for which this finding of fact is being considered. Tim Mercer, Member seconded, the motion carried with Michael Humphrey opposing.

Al Roethlisberger resumed his seat on the board.

- **Review of Application for Certificate of Appropriateness COA 08-23** submitted by Shelley Nichols property owner at 401 N. Gulf Street, who wishes to complete the vinyl siding on the western side of the house, install vinyl soffits on the eaves that currently do not, install trim coil where necessary, and replace the one vinyl gutter with an aluminum gutter.

Dave Montgomery, Staff summarized the COA 8-23 staff report. He made comments and recommendations that materials, patterns, textures, and colors and architectural detailing were factors in the case.

Matthew Sakurda, Chairman, opened the public hearing. Craig Petersen stated the original building was actually a single story and the roof was taken off and an addition was added and covered with vinyl siding. The house had previously had siding on it which Craig could not identify. Scott Myers noted it will be easier to pull the old wood clapboards off and install the vinyl siding rather siding over the clapboards; it would definitely give it a more symmetrical appearance to the rest of the structure. Shelley Nichols has lived there for ten years. The entire wood fascia that is exposed is rotten, the area behind the vinyl gutter is totally gone. Scott Myers stated that the entailed work on this house will make the house look better and make the neighborhood look better. Shelley stated it is her intention to make the house look better and make it look like it is finished. **The Public Hearing portion was closed by Matthew Sakurada, Chairperson.**

Mike Humphrey stated he was in favor of putting vinyl on this house since it is not a contributing structure and would make the house look uniform. Pete Thompson concurred.

FINDING of FACT: Member Mike Humphrey moved that the Historic Preservation Commission find as fact that the proposed project COA 08-23 at 401 Gulf Street, if constructed according to the plans reviewed, was congruous with the character of the district, for the reasons that it is a noncontributing home; it has had a number of alterations, additions, and repairs which were not done properly; is the best solution to make the house generally fit with the guidelines; is generally in harmony with the criteria of the design guidelines and the special character of the neighboring properties and the historic district as a whole. Pete Thompson, Member seconded and the motion carried unanimously.

DECISION: Based on the preceding finding of fact, Member Mike Humphrey moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Shelley Nichols and approve the proposal

as shown in COA 08-23 at 401 N Gulf Street. Pete Thompson, Member seconded and the motion carried unanimously.

Al Roethlisberger and Mike Humphrey commented to those in the audience that this was a unique case for the use of vinyl siding, particularly since this house was non-contributing. However, they also stated that this does not mean that property owners of non-contributing structures in the Historic District do not need to abide by the design guidelines just like property owners of contributing structures. One of the purposes of the Historic Commission was to determine the special circumstances that make each case stand on their own.

OLD BUSINESS:

Ad Hoc Committees Updates:

Guidelines Committee: Mike stated the guidelines are complete, rewritten and put in new format; the Preface pages were done last Tuesday. All comments from meetings have been addressed and put in there. Still working on the glossary but expects everything to be done in the next couple weeks. Plan to meet next Tuesday to begin the Landmark designation, with input via E-mail. A discussion took place regarding the guidelines, the process for approval and notification of citizens.

Marketing/Communication Committee: Al commented that the committee members couldn't all get together; but that Al and David did discuss the public notices for the major COA's on-line at the HPC/city website. The same document will be forwarded to Al where it will be posted on Yahoo group. We have a number of different ways to notify folks for public hearings. We talked a little about getting the newsletter out, producing a walking tour of the historic district, and outreach educational meeting for the neighborhood. David was asked regarding grants for walking tours, there may be grants in travel and tourism. Matthew questioned the subjects for the newsletter, Al said content has been a challenge but is willing to consider all input. A discussion took place regarding taking photos of contributing homes in the district for documentation purposes and possibly for the tree survey; it was suggested to possibly solicit information regarding historical properties.

Safety and Security Committee: There was no committee meeting this month. It is this committee's emphasis to get NNO organized. We are also trying to get the Neighborhood Watch program instituted. This committee needs to meet with the City Engineer regarding other traffic calming measures. Mike commented that Vance Street is having much more traffic since the stop signs were installed on Gulf Street. Charles Taylor addressed the commission regarding the City Council's decision to install a stop sign at Vance Street & Summitt Drive. No one in that area had been contacted but it was decided to put the portable traffic unit out there to gather data somewhere in February.

Charles will be asking for that data this week. The following streets in the ward have been addressed Spring Lane, Carbonton, Gulf, Weatherspoon and Vance. Al stated that his wife and Carol watched six people run the stop sign in ten minutes in front of his house at 11:30 AM. We have people running the stop signs and going around the buses while the lights are on. Charles Taylor said he would ask for some more police enforcement at the sign as well. Matthew addressed the need for a letter to be sent to DOT for a pedestrian crossing at Carthage Street and Horner Blvd.

Block Captain Update: **Block 1:** 309/311 Bracken St satellite dish concealed in bushes by street, covered with black fabric sock. 511 Horner rear carport covered with blue tarp could be a safety issue. 307 Chisholm has been condemned because neighborhood kids broke in and destroyed interior; David informed the Board that it was under minimum housing. The Heins' house at 410 N Gulf had an offer and was accepted and 407 N Gulf is already under contract. 221 Horner Blvd continues on a downward trend; David informed the Board that it was under minimum housing as well. **Block 2:** 411 Chisholm a window air unit is being installed upstairs; Mike asked how that house had been changed from single family to a duplex. A discussion pursued regarding the house across from 307 Chisholm. **Block 6:** Local Joes had a fire next to the one of the doors and the owner has removed some of the facade.

The City did not receive a grant for the nomination of East Sanford to the National Register of Historic Places.

David had a public meeting at the federal building regarding the alleyway; there was no consensus as to whether the property owners wanted to acquire the property. It may be advantageous not to acquire but in partnership with the City just get it cleaned up. The use of prison labor for the cleanup was asked about. David was to take their questions and get back with all the attendees.

The next meeting date was scheduled for the same day as Memorial Day; the meeting date, therefore, was tentatively scheduled for 5:00 on Monday May 19, 2008.

The "No Level 4 Facility" concerned citizens group better known as Hawkins Hawks has been meeting for the last month according to Charles Taylor. There are no Level 4 homes in this type of residential setting in existence in North Carolina; the one in Greensboro run by the same people has had 9 escapes. No one disagrees that we need these facilities, just not in a residential area. Traditional zoning caused this property to be rezoned multifamily dwelling for another proposed project but it never reverted back to residential when the project never materialized. It should of concern to the HPC since the property is adjacent to the Hawkins Avenue Historic National Register District. A hearing before the Board of Adjustment is set for May 16, 2008 to determine if

staff made an incorrect interpretation of the UDO to allow the facility. The state has not issued a license for this facility.

Member Tim Mercer moved that the properties along Hawkins Avenue, of which the bulk section is already a National Historic District, be considered to become a local historic district. Mike Humphrey, Member seconded, and the motion carried unanimously.

COA Staff Update: David submitted the Database Query 2 for minor/major COA's for the members to review.

The Historic street signs along Horner Blvd. are being installed this week. The awarding of the tree survey contract is going to City Council this week since the bids came back. The entrance signs received a favorable response at the City Council Retreat. Matthew suggested giving a quarterly report to City Council; Charles Taylor strongly encouraged board members to attend City Council meetings.

ADJOURNMENT: With no further business to come before the Commission, Chair Sakurada entertained a motion to adjourn. Commission Member Pete Thompson moved and seconded by Al Roethlisberger, member and the motion carried unanimously.

Adopted this _____ day of _____

BY: _____
Matthew Sakurada
Chairperson

ATTEST:

DAVID MONTGOMERY, PRESERVATION PLANNER