

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD HISTORIC PRESERVATION COMMISSION
7:00 PM, MONDAY, MARCH 23, 2009
WEST END CONFERENCE ROOM
SANFORD MUNICIPAL BUILDING**

Roll Call:

Commissioners Present: Al Roethlisberger, Matthew Sakurada, Tim Mercer
Peter Thompson, Mark West, Maria Moffa Graham,
Councilman
Charles Taylor, City Liaison

Commissioners Absent: Lora Wright

Staff Present: David Montgomery, Anne Sears, Liz Whitmore

Citizens Scott Myers, Laura Younger, Cheri L. Myers, Mike
Humphrey

**APPROVAL OF THE PREVIOUS MEETING MINUTES FOR MARCH 2, 2009
AND THE AGENDA FOR MARCH 23, 2009.**

Chairman Matt Sakurada called the meeting to order and called the roll. Commissioner Roethlisberger asked at this time to make a motion to move the submittal of the final draft of Design Guidelines to the last item of Old Business. Chairman Sakurada suggested moving it to New Business allowing Cheri Myers enough time to make the meeting. It was noted that three people would speak for the Guidelines Committee. Chairman Sakurada asked if there were any other additions/deletions to the agenda for the March 23, 2009 meeting. Commissioner Roethlisberger moved to approve the agenda with items as presented, and it was seconded by Commissioner Thompson, and the motion passed unanimously.

Chairman Sakurada entertained a motion to approve the minutes for March 2, 2009. Commissioner Roethlisberger noted a correction on page four, SHPO Pass-Thru-Grant second sentence, the word **although**, was repeated. Commissioner Roethlisberger made a motion to approve the minutes noting the correction, seconded by Commissioner West, and the motion carried unanimously.

Chairman Sakurada shared that there were no COA applications for tonight's meeting, and Chairman Sakurada, agreed that the board needed to wait on swearing people in until one of the attending citizens were present.

OLD BUSINESS: Chairman Sakurada asked Staff Whitmore to share information on Marketing and Communication. Staff Whitmore said that she had e-mailed the

newsletter to everyone, and had asked for comments. Commissioner Thompson said he liked the feature article on the John Monroe House @ 118 Hawkins Avenue. This house is a frame two-story, three bay, double-pile dwelling with hipped roof features a hipped dormer, plain siding, one-over-one sash windows and a wraparound porch and porte-cochere supported by battered posts on brick bases. The two front glazed and paneled doors may indicate a duplex. The door on the left was for black patients while the door on the right was for white patients. Staff Whitmore said the reason why it was listed and at the time she didn't know what a Double-pile dwelling was, so it was included in the **newsletter definition section**. Staff Whitmore noted that the correct web-site was there, but it only allowed in-house to pull it up. The first annual "Meet and Greet" has been changed to Wednesday, April 29th from 4:00 pm to 6:00 pm at 226 Carthage St. Staff Whitmore wants everyone to come, including the HP members & staff, and the Appearance Commission Committee members are invited. Staff Whitmore commented that she is proposing to do the newsletter twice a year, as opposed to four times a year, due to the fact that more information is needed.

Staff Whitmore said that Commissioner Roethlisberger shared comments about the continuing discussion of the correct spelling of Summitt. Commissioner Roethlisberger has done some extensive research, with maps from 1925 & 1926 and some deeds from the early teens that had two **tt**. Staff Whitmore went to the courthouse and they pulled a map for her. Commissioner Roethlisberger said he went through the entire book and pulled out all the maps from McIver Park and RoseMount and Summitt was a single **t**. Commissioner Roethlisberger and Chairman Sakurada questioned if we would be changing the signs, and Staff Whitmore, answered no. Commissioner Roethlisberger also shared an interesting observation, because as you read through the inventory guide, and then you have Pivotal definition in here, and it was noted that Hubbard Shoe Store, designed by Ellen Thompson, a Tudor –Revival style was considered a Pivotal building for downtown, is very similar to the Heins house, who was designed by Ellen Thompson. Commissioner Roethlisberger asked if it would be feasible or at some point to look at, the Rosemount-McIver Park inventory on some of these neighborhoods and maybe identify certain homes that were more pivotal than others, just like they did for downtown. Staff Montgomery shared that Downtown was done ten years a part, it could have been a different criteria.

Chairman Sakurada, asked about the publication date for the newsletter, and Staff Montgomery and Staff Whitmore said they would like to get it out by the end of the week. Citizen Humphrey also brought to staff Whitmore's attention a typo error and no address listed for the Meet and Greet meeting.

Signage: Staff Whitmore said she met with Steve Scully, and he is going to have to us the final quotes for prices, this Friday. Staff Liz shared we received our first signed sign easement agreement today at 723 Hawkins, and she will also be doing follow-up phone calls on the other five. Staff Whitmore said that the person who lives on Lee Avenue in the historical district doesn't have a phone, and Carl Anglin, Code Enforcement will go down personally and talk to them. Staff Whitmore stated items or criteria you have to look at for signage are: There are no overhead lines, and because Progress Energy does

have the power to take down anything, our concern is we have to make sure things are put back far enough, and also we will have to scan for water lines and sewer lines. We are making headway. Chairman Sakurada asked about web-site, and Staff Whitmore said our web-site is up and running, it is in the newsletter, and the launch date will be the second Friday in March.

Safety and Security: At this time, Chairman Sakurada hasn't had much time to proceed. Commissioner Roethlisberger has forwarded information over to help start revitalizing and to get the neighborhood watch up and running. Susan Sakurada had spoken about volunteering. Mr. Humphrey is to be the chairperson for the neighborhood watch, but Mr. Humphrey shared at this time, he would like to put this on hold until after the Guidelines Committee is done.

Chairman Sakurada also said that he would try again to press forward to arrange a meeting with the city engineer's along with the committee. Commissioner Roethlisberger said he was not clear about the details, but he thought at one time, they had transitioned Commissioner Wright for the Safety and Security committee. Councilman Taylor arrived. Guest Mike Humphrey spoke up and said after speaking with City Street Superintendent, Magda Holloway that there were funds available for street lighting. She stated they are doing eight phases of the town, and hopefully funds would be available to look at improvements on Gulf Street and Vance Street. Mike Humphrey suggested that the HP board go and speak to them. Chairman Sakurada said that Commissioner Roethlisberger had done this at one time, and had asked specifically about the blocks of Summit and Green. Mike Humphrey commented that if you have specific gaps, they might be willing to put up a street light. A street light has been added at the 500 block of Summit. Councilman Taylor said the first four phases will be completed by June. After attending a retreat today Councilman Taylor shared that their focus or the major criterion is making the area, and the area they are looking at is Forest Hills. Currently there is 600 ft. between the lights in the area and they would like to see a distance of 150 ft. between lights. Councilman Taylor also stated that they have looked at each area in the city, and they saw where the major needs are. Another need is the Gulf Street area, and that is on the radar screen, meaning it is going to be done sooner rather than later. Councilman Taylor said right now we are experiencing some supply issues with Progress Energy. His thoughts were that if we are giving them this building and we are going to do an x-number of street lights in the next six months, they ought to go ahead and allocate inventory, allocate supplies and allocate time for that. At this time many municipalities are sitting tight on money, but Gulf is a key part of that element. Commissioner Roethlisberger mentioned that there are 300 or 400 ft. between them now. Councilman Taylor shared that Rosemount is next in line.

NEW BUSINESS:

STAFF UPDATE: Staff Whitmore said there has been no minors or majors COA's this month. There has been an interest from a gentlemen named Hector who wishes to start a new restaurant and change the awnings at 103 Wicker Street, which is known as El-

Rancho. Another one is the Meadows house at 321 N. Gulf street. Contractor Scott Myers came in to discuss an addition of a two-car garage, which may apply as major work. The owners would have to get approval first from the Historic Preservation Board before work is started. At this time it hasn't been submitted, but they have been in twice to talk about it. Staff Whitmore also noted that she is in the process of typing in the Hawkins Avenue National Register district, which will be available on line, and then after completion she will move on to Lee avenue.

Staff Whitmore stated that an intern, Aaron Anglin, who is the daughter of Carl Anglin will be starting in April or May. Aaron is a junior at Western Harnett High School, very personable, and she and Aaron will be photographing all the historical sites, in the two local districts. Staff Whitmore has already started files for each structure and the date the photo was taken. Staff Whitmore mentioned that at this time she is pulling the COA's for March and will inspect for completion. Staff Whitmore stated it has been happening, but we haven't been tracking them, so there are columns that have been added for Inspection date, and Inspection remarks, and if it is not complete what needs to be done. Commissioner Roethlisberger asked how we are handling it now and the process that is being followed. Staff Whitmore said that so far the only ones that have not been completed were minors, and that no majors have come before me that haven't been completed. Commissioner Roethlisberger also asked if we were renewing them now, or if it was a major do they come back to the HP committee. Staff Whitmore said this was under discussion and that is something that David and Liz will discuss and decide. Staff Whitmore noted that in the matrix it states that renewals are a minor, so does that mean it is just for minors or for minors and majors. Commissioner Roethlisberger asked if this might be something the commissioner's might want to handle. Staff Whitmore asked the question that technically you have to decide whether the ones that are outstanding do they then fall under the old guidelines before they are close out, or do you have them come back in and start all over with the new guidelines. Commissioner Roethlisberger thoughts were if we issued what was equally to a permit and it was still valid, then they could continue in that mode, but he also thought that those that had expired and haven't done anything yet, that they would be in a gray area that we would need to figure out. Commissioner Roethlisberger thoughts were to ask Code Enforcement about their process and how it is handle when they have to go back out. Comments were that rules do change.

Chairman Sakurada asked Staff David if there was anything from the retreat? David said he had put everything in the budget. Staff Whitmore and Staff Montgomery did not present anything at the city council retreat. Councilman Taylor said last year they had received a full report. This year we got an hour up-date about a community development report, which captures everything and we have a second phase of our retreat on Wednesday but there is something that needs to be discussed. Our other issue on this meeting today, per Councilman Taylor involves parking in front of houses. Mr. Bridwell had thirteen slides today, and every photo in there had wear on the front lawn, or a car parked on the front lawn. This issue was brought up today, and they are looking at different ordinances. Councilman Taylor said he would be glad to bring up everything that evolves from this meeting, and would like to have feedback on it. Staff

Montgomery said the Appearance Commission is looking at it as well. Councilman Taylor also said that City Attorney Susan Patterson is telling us it is questionable because she has contacted a lawyer in Charlotte with the city, and he couldn't give any basis on how they enforced it. It is different when you are in a historical district, but it can be hard to enforce outside that district. Staff Whitmore said she would bring the ordinances and her research to the next meeting, regarding how it is handled in other municipalities and Councilman Taylor asked how others can do it, and we can't. This needs to be addressed. **Citizen Cheri Myers came in at this time.** Everyone at this time was sworn in.

Chairman Sakurada asked Mr. Humphrey if he would like to speak at this time before the presentation of the Guide Lines Committee. Citizen Mike Humphrey approached the podium and spoke about regarding staff communication with higher authority thereby questioning his veracity in contacting SHPO. Mike also commented again that SHPO felt the guidelines were very good, possibly the top five or maybe the top three, and he has record of it. Chairman Sakurada said that he could not speak for Commissioner Wright due to the fact that she is sick tonight, but thought what she was trying to do was make the process go faster saying if SHPO had already given approval, then it would be a quick approval from the members of the commissions. Commissioner Roethlisberger pointed out again at that meeting that his comment was done without anyone asking Mr. Humphrey, and the answer was no. Commissioner Roethlisberger shared that his concern was that we may have reached a conclusion. Mike's noted that someone may have received incorrect information or they did not speak to the right person and he felt that SHPO knew they were rewriting the guidelines.

Chair Sakurada asked at this time how do you propose to present? Commissioner Roethlisberger said he had gotten an e-mail last week on how to proceed. Commissioner Roethlisberger said that we didn't get a whole lot of feedback, but tonight you will receive copies of the Design Review Guidelines, the permanent application and the process and procedures where the committee was charged to produce.

Commissioner Roethlisberger stated that booklets will be distributed at this time. There will be no attempts to review this document tonight, only to briefly inform everyone of the contents. Citizens Laura Younger, Cheri Myers, and Mike Humphrey are going to try to give everyone an overview of what their goals were, how they got here, and to answer any questions that the board may have tonight. Commissioner Roethlisberger mentioned that we are going to have to decide how we want to pursue, and this can certainly be discussed afterwards. Commissioner Roethlisberger shared that he was assigned to this committee to help them out at the end, but the hard work had already been done, and his contribution was just another editorial process. He would like to give thanks to all the people that had previously work on it for twenty months. One other thing that Commissioner Roethlisberger relayed was that praise needed to be given to Cheri Meyers for all her dedication, efficiency and hard work.

Guide Lines Committee:

Citizen Mike Humphrey pointed out to the commissioners the contents, the description, the layout, and the editing of the manual. The Rules and Procedures show the changes that were made by Staff Whitmore and Citizen Cheri Myers, which is now in word document. At this time Mr. Humphrey turned it over to Citizen Laura Younger. Mrs. Younger said her idea here is to give the homeowners an overview of the process, and obviously the document explains what some of these terms are: The word DRT is there because one of the things we did was to establish a need for the design review team, that may or may not happen, but at this point we do not know. The originally guidelines did call for an architectural review team or a design team to help initiate projects and subsequently to inspect so that cases can be closed in a timely manner and to help be accountable according to the guidelines. It starts with the projects, continues to the staff office. Mrs. Younger noted there are errors that need to be corrected, and it needs to be edited, but other than that it should take you through the whole process of what the board passes, and if they don't, what happens and how to cycle it back into the process. Another question is if they don't do the process accordingly to the guidelines what happens then. Hopefully this process will make it easy for everyone.

Citizen Cheri Myers came up to speak. She stated that the actual manual is broken down into five sections. These are: 1. Introduction. 2. Obtaining a Certificate of Appropriate. 3. Sanford Historic Neighborhood. 4. Architectural of Sanford Historical District. 5. The actual design of the guidelines is section 5. She also shared under each section there are subsections and they are either numerically or alphabetically order. Citizen Myers also said there were introduction paragraphs, and some other areas with photos and descriptions. Commissioner Roethlisberger said we have tried not to make a regulatory document, but an educational document. This will be helpful when the homeowner comes to staff with the project, and if they haven't read it yet, staff can direct them to read it, and explain why the guidelines exist, and how to get started in the correct way, versus saying thou shall not, and not really having them understand why. Councilman Taylor, asked when this will be made available on electronic form, and he commend everyone on the report, and the table of contents, because you can get specifics on whatever you need. Councilman Taylor also asked if it is made available on one of the city web-site. He would like to have that as search function, where they can link it to go directly to the topic that was inquired, and possibly go into a PDF format. Mrs. Myers said that everything is in word at the moment. Councilman Taylor commented that our ordinances are on locked PDF so people can't pulled them down. Chairman Sakurada asked if the pictures in the handbook where from Burlington, and it was shared that they were. Councilman Taylor also asked if we were covered on using Burlington material. Mrs. Myers hopes everyone will review it, and then it will go back to the guidelines committee. Chairman Sakurada asked to send it in the word format. Copies for staff can be made. It was noted that if it was put into a PDF file, you can't put comments on it. Staff David commented he would like for it to be available by e-mail, so when people called it can be e-mailed. Cheri relayed that the Rules and Procedures and application can be e-mailed to you. Staff Whitmore shared she like the definition section, and Commissioner Roethlisberger asked everyone as you read through, to make notes and forward back to them.

Citizen Mike Humphrey said if you look at the first eight pages they are setting the stage for everything that happens. The committee also came to a decision to use Commissioner instead of Board Member. Mr. Humphrey said the biggest change overall in the process is the guidelines are clearer and more of them. Mr. Humphrey said we have tried to address every situation that has occurred, and those that we didn't have answer for in the past, but also tried to keep it to a minimum. Commissioner Roethlisberger just last week was still trying to merge two guidelines together and to be as complete as possible. The biggest change is going to be the **Design Review Committee**. The guidelines currently has called for a design review committee and has since the beginning of the Historic Preservation Commission, but has never been established completely. The design review committee will be the one to help facilitate the ways to help applicants process and complete the application quickly and easily, without being too time consuming.

This committee could have as many as thirteen members and now they are down to four members. We would have people from the Rosemount neighborhood along with additional three from the City of Sanford, and we would expect that these people would have the expertise, if the homeowner needed consultation about a particular project. We feel like staff may not have enough time, so it could act as liaison for whoever is doing the project. All of this could be appointed by the HPC, and City Council or the committee. The ODC has the experience or education of architectural design, complete knowledge of the guidelines, and they would be appointed by the authorities. Primary task of this Design Review committee is to meet with property owners and review their propose projects and help them understand the process, the procedures, not to approve or say you can't do that or you can do this but by helping and guiding them through the process. If for some reason the homeowner decides not to consult with the design review team they wouldn't have too, it's not mandatory, it's there if they want help. The Design Review committee has also discussed that then it would feel obligated to go out and check from time to time on the project, to see if it did start or didn't start or if it has come to a halt, and report that information to Design Review Committee on a monthly basis at the monthly HP meeting and also where that project stands from their observation. The Design Review Committee would be someone that staff would take and assigning them to a project. We would also ask them to do a final review on the project, and they would go back to the Historic Preservation Committee and notify them of the progress, and that it does meet the guidelines. Mr. Humphrey noted in with his conversation with David that he felt uncomfortable with that and Mike assured Staff Montgomery it could be amended. What we are looking for is that final inspection and meeting the guidelines. Mr. Humphrey shared how he notice while presently serving on the board that the process and guidelines may have not followed the proper channels. Staff Whitmore noted that follow-ups procedures have been done since January for completion of close out inspections.

Citizen Mike Humphrey stated in the COA there are parts that deals with what happens if you don't have a COA, and you go ahead with the work. He said if this is the case you could be making a Minor COA project turn into a Major COA and to the HPC as kind of a penalty. Mr. Humphrey gave a brief discussion about the violations and penalties and how it could be handle either by certified mail or another means of delivering such as

using the police department. Mr. Humphrey feels like a fee should apply and everyone should adhere to the ruling. Councilman Taylor had a question for Mike regarding the fines. Councilman Taylor asked in doing your research, and even in Burlington any instance of fines and how they applied them or made them stick. Mr. Humphrey he felt that it would not be the board's job to do enforcement, and he felt like that they did not have the authority to do so. This is a zoning violation, and just like you would any other zoning violation, once you fine that, once it gets to \$3,000.00 you go down and file it in District Court, and Lee county has upheld that over and over and in the state it has been upheld, it never turned down. And what has happens is that \$3,000 is filed and it continues until the correction has been made, and then the court has a lien on the property, it would be just the same as a building permit that didn't follow the process. Mr. Humphrey shared that code books are issued every few years and amendments can be made throughout the year, but in the meantime if he has a project started, and those amendments change before the course of that project is finish, he would have to compile with the updated changes. Councilman Taylor asked if a grace period would be allowed, and once you approve a project and is completed within a sixty day period of time. Commissioner Roethlisberger said it would be a special circumstance for this. Mike Humphrey did comment that it is addressed in the guidelines the project must start in one year when you have the board approval. The next question is you cannot start a project and renew it without coming before the board, or if a project had been approved two or three years ago and they keep renewing it, and then other factors come into play, how is this to be handle. Commissioner Roethlisberger commented that what we meant to put in the process and procedures how we handle violations and this could be added to it by electronic copy to give you as well. Basically the process is having a motion to identify a violation, and then what happens next. Will it be delegated to code enforcement, and then to zoning? The people will look to HPC to tell them whether it is in violation, and this is the process from that point on. Citizen Mike Humphrey and Commissioner Roethlisberger were in agreement that this is something they might need to come back and revisit.

Chairman Sakurada thank the committee for all their hard work, and thanked everyone for the effort and wanted to talk about the process. Chairman Sakurada asked Staff Montgomery if he or Staff Whitmore would be able to have a CD in word for everyone by the next meeting assuming that everybody will have their comments. Commissioner Roethlisberger shared that this is a lot to digest and the committee is tired, and we would like to give the HPC a little extra time to look at, and to come back in about two months. Commissioner Roethlisber also asked if this could be discuss at a regular HPC meeting or if a special meeting. Pros and cons were discussed among members. Staff Montgomery suggested that we come up with a game plan at the next meeting. Chairman Sakurada also mentioned by that time everyone should have at least taken a look through the manual and would be able to provide general comments at the next meeting to make a decision.

Commissioner Roethlisberger said the next question is if we don't have to have an answer tonight we need to think about is what the process after that. Commissioner Roethlisberger shared what we have discussed, is that the guidelines committee would like to have a meeting with the HPC to answer any questions you have, and to clarified

the point, and once that step is done its is our responsibility and then the HPC could decide after that how we are to proceed, and I don't think we know the answer to that yet. Commissioner Thompson felt like it can be done in a regular meeting. Staff Whitmore shared that there are some pending COA's that could be pretty substantial, and this may be deciding factor. Commissioner Roethlisberger made a motion that by the April's regular HPC meeting, we will all have taken a look at the provided guidelines application and process and procedures and provide feedback as to how we want to proceed, whether we have a regular meeting or a special meeting, the subsequent month with questions and answers with the committee, and it was seconded by Commissioner Thompson the motion was passed.

Commissioner Roethlisberger asked a question if the committee can present receipts for the cost of printing to the Commissioners for some of the expenses, could we get reimbursed and Staff Montgomery said yes, if it was less than \$250.00 no purchase order would be required and it could be taken out of the printing budget. Citizen Humphrey stated the cost was a little over \$130.00. Chairman Matt asked if there were any other discussion on this, and if anyone wanted to make a public comment. Councilman Taylor did asked if there was anything pending in this HPC that we may need to have some further discussion with city council for our retreat on Wednesday. Staff Montgomery said he didn't know if there was anything, but thought the individual grant project we talked about needed further discussion. Councilman Taylor said it has been discussed briefly, and Staff Montgomery said that that this may have been taken care of, and David also shared that this is the big one momentarily. Chairman Sakurada said he was not sure if we were prepared for additional items and asked if we could e-mail him items. Councilman Taylor responded by saying at tonight meeting we have had some good discussions, and I wanted everyone to be aware of some of the situations Council are dealing with, for example parking issues on front yards, and he also encourage everyone to please give him a call, or e-mails with any questions that they have before 8:30 on Wednesday. Commissioner Roethlisberger asked Councilman Taylor if he had any news on Pocket Parks program and he said he had two other sites. Maple avenue is one, which is one of the biggest redevelopment area, and Kerr Creek, which is out by Coty. Councilman Taylor stated that our project today is the Dog Park in the community, and we are looking at expanding Pocket Parks. We are going after a grant due May 1, 2009, so there you will start seeing a more aggressive approach toward Pocket Parks and the city of Sanford, under city control not from the county.

Commissioner Roethlisberger asked Liz about shed structure on Green Street. Staff Montgomery said he told Commissioner Roethlisberger he had already spoken to Carl Anglin. Councilman Charles Taylor bought up Green Street, and how we are handing rentals down the road, and that was a question today on Community Development going forward. What directions we have, what recourse we have, and even offering tax incentives to homeowners to spend some money for beautification or projects on the house Green Street is a very big concern, it is getting a lot of attention with Council. Staff Whitmore mentioned that on Green Street there are two satellite dishes on the outside of the houses, and letters have been sent to the property owner's. Council Taylor asked everyone about the stop signs, and if they were seeing any different traffic trails

now in the neighborhood? Commissioner Roethlisberger commented that they were not running our stop sign as much as they used to. Commissioners generally expressed positive comments on the signs.

PUBLIC COMMENT: Chairman Sakurada asked citizen Mike Humphrey if he wanted to speak again. Citizen Humphrey noticed that work is being done at 406 or 408 Gulf St. and he would like to know if COA's have been obtained for this work and if it was major or minor work. Staff Whitmore stated that she will conduct a site visit and if COA's are required she will contact the property owners. Mike Humphrey inquired to the status of any outstanding Major COA's. Staff Whitmore stated that all COA's are being closed out at the end of each month, and appropriate action shall take place if work has not commenced.

ADJOURNMENT:

With no further business to come before the Commission, Chairman Sakurada entertained a motion to adjourn. Commissioner Roethlisberger moved, and it was seconded by Commissioner West, and the motion passed unanimously.

Adopted this _____ day of _____

BY: _____

Matt Sakurada, Chairman

ATTEST:

Elizabeth Whitmore, Historic Planner II