

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD HISTORIC PRESERVATION COMMISSION
COUNCIL CHAMBERS
7:00 PM, MONDAY, APRIL 26, 2010
SANFORD MUNICIPAL BUILDING**

Roll Call:

Commissioners Present: Al Roethlisberger, David Nestor, Donnie Worley
Brandon Atkins, Shannon Gurwitch

Commissioners Absent: Ed Page

Staff Present: Liz Whitmore, Anne Sears

Government Official Present: Councilman Charles Taylor,
City Representative, Leslie Moxley

Citizens Mark West, Bill Freeman, Hazel Freeman,
Mick Fincher, Kim Godon

**APPROVAL OF THE PREVIOUS MEETING MINUTES (MARCH 29, 2010
AND THE AGENDA FOR APRIL 26, 2010.**

Chairman David Nestor called the meeting to order, and called the roll.

Chairman Nestor asked for approval of the agenda. Commissioner Gurwitch asked to remove Update on Hawkins Avenue. A discussion was held among commissioners concerning mailing agenda & minutes versus e-mailing, and it was decided that Staff Whitmore would continue to mail the packet. Commissioner Gurwitch moved to approve the agenda as amended, and it was seconded by Commissioner Atkins and the motion passed unanimously.

Chairman Nestor asked for approval of the minutes. Commissioner Gurwitch moved to approve the minutes, and seconded by Commissioner Worley and the motion passed unanimously.

There was no Public Comment.

At this time, citizens and Staff Whitmore were sworn in.

COA CASE 10-16- @ 101-109 WICKER STREET:

Staff Whitmore summarized COA-10-16, application by No Dog Backwards, Inc. owners of 101-109 Wicker Street, whom wishes to install windows in the existing rough openings on three sides of the exterior walls facing Wicker Street, Moore Street and back parking lot on the second floor. The windows are MW Freedom double hung vinyl clad windows which are made of wood with a vinyl clad exterior.

Staff Whitmore noted that the rest of the buildings in that area are two story brick structures, and the majority of those buildings are contributing. Staff Whitmore asked members to look at the photographs that she provided. Photograph number one, showed the building with no windows.

Photograph two, showed the location of the windows to be replaced. Photograph three, shows the interior of the building, where the windows once were in the opening. Photograph four, shows the windows that are across the street from them. These windows were approved by David Montgomery previously, and there were fillers put in at the top of these windows, and Staff Whitmore stated that there will be no fillers to go at the top of the proposed windows. Staff Whitmore shared the guidelines that are important to the case: Do not replace historic windows with contemporary treatments. The proposed window she had for display, and the one they are looking at is wood, with rack and vinyl, minus the cross-panes. She shared that the original had two panes, and they were-not operational, and this one is. Staff Whitmore explained the applicant is proposing to maintain the original number, panes and size of windows. Staff Whitmore shared that the windows have been removed numerous years ago, and the area was enclosed with board and batten siding. From the interior of the building the framing is in existence for the windows that were installed at that time the structure was enclosed. (The applicant still has these windows, however, they are non-operational.) (They do not open) The applicants are to properly maintain, paint, caulk and clean all windows.

This balcony was where live-stock was kept. The original windows have been removed from the openings. The building does not have any existing signs, and none is proposed that will obstruct the windows. Staff noted that darkened or shaded glass is not being proposed, and no window type air conditioning units have been proposed. There was a visible trench for animal waste which was swept and discarded. At some time the second story was enclosed, and non-operational windows were installed. The applicant intends to install operational windows in the existing openings in the second story. This enclosed area has become additional office space. Staff Whitmore mentioned that the applicant has a previously approved COA-10-02, which was to paint the wood siding of the building and façade to be LaFonda Antique Red, and the trim Mark Twain Gray Black. Staff shared that they have already put the first coat on, and it does not match the paint chip, and the applicant indicated they want to go ahead and install the windows, and then finish painting according to what was written in COA-10-02.

Staff Whitmore said that Ms. Godon was here tonight to answer anyone's questions. Chair Nestor asked the board if they had questions. Commissioner Roethlisberger asked members to go over and examine the window, and to draw your own conclusions. He noted that in the guidelines, they do not have a clear provision of vinyl, but we do have a statement stating do not replace historic windows with contemporary treatment. Ms. Godon continued to answer questions that the board had. Applicant Kim Godon commented they were totally vinyl across the street. Staff Whitmore shared that the new windows will remain white, down below the wood is going to be LaFonda red with Mark Twain Gray, and the sash will remain white. Commissioner Gurwitch shared that she had concerns with the appearance of the proposed window and the existing windows or how that is going to look on the structure, and asked if there was a time frame.

Chairman Nestor had positive comments to share that progress was being made on this building. Chairman Nestor said we have two different issues there. Commissioner Gurwitch said that she would like to promote uniformity, in terms of the exterior, the caring of the building and fenestration of the building and that nature. She stated knowing that the other existing windows will be replaced with something that looks like this, at some point, would help make her more comfortable with the decision to go with these. Ms. Godon said their original plan was to do this all at the same time, but their plans now is to do it within a year. Chair Nestor shared that there is two roof elevations that will break it up, and Staff Whitmore commented that it could be sold separately, since it has two different addresses. (101 Wicker & 109 Wicker Street).

FINDING OF FACT:

Commissioner Atkins moved that Historic Preservation Commission find as fact that the proposed project COA-10-16-101-109 Wicker Street, if constructed according to the plans reviewed, is congruous with the character of the district, for the reasons that: the architectural detailing, fenestration, proportions, shapes, position, location, 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, because the exterior of the materials, textures, colors, construction proposed by the applicant is congruous to those existing obstruction or in the intermediate vicinity of the project, and second by Commissioner Gurwitch, and passed unanimously.

DECISION:

Commissioner Gurwitch moved based on the preceding Findings of Fact, that the Historic Preservation “Commission grant a Certificate of Appropriateness to No Dog Backward, LLC and approve the proposal as shown in COA-10-16 @ 101-109 Wicker St, and it was seconded by Commissioner Atkins, and passed unanimously.

COA CASE 10-23-305 N. Gulf Street:

- Staff Whitmore summarized COA -10-23- @ 305 N. Gulf Street , application by Michael and Debra Fincher, owners of 305 N. Gulf Street, who wish to remove three pine trees (one in the front yard and two in the back yard) in excess of 8 inches in caliper.
- Staff Whitmore shared that upon inspection of the subject site staff notes that the tree in the front yard is approximately (12) inches from the sidewalk and has damaged the sidewalk and the small retaining wall. The tree is about 3 feet from the main structure and has damage the foundation. The two trees in the backyard are ten (10) to fifteen (15) feet away from the main structure on the property. The applicant has stated in their justification in removal of these trees.
 1. Falling branches have damaged roof and gutters. Frequency of falling branches is high coupled with a high probability of this continuing to be a problem.
 2. Root systems of the trees have compromised the structural integrity of the house. There is evidence of foundation damage in the form of many cracks in the exterior brick foundation and interior walls. The floor is un-level in some places.
 3. Concerns of our neighbors: the trees are so large that they could cause considerable damage to neighboring homes if they fell. Neighbors, Mark and Melanie West at 201 N. Gulf Street, has already experienced this problem when a former large pine tree from our yard fell onto their home causing over \$50,000 in damage.

Staff recommended two conditions in regard to replanting with different trees:

1. One Pin Oak (*Quercus palustris*) shall be planted in the front yard to replace the loblolly pine. Pin Oak shall be a minimum of 2 ½ to 4 inches in caliper at breast height.
2. Two under-story trees shall be planted in the back yard to replace the two loblolly pines. The applicant may use either Dogwoods (*Cornus florida*) or Carolina silverbells. (*Halesia carolina*) for replacement. These trees that were recommended shall be a minimum of 2 ½ inches in caliper at breast height.

Commissioner Atkins commented, and also Commissioner Gurwitch was in agreement that they don't think the homeowners should have to replant the trees, and if he chooses too, then the type of trees should be left up to his discretion, the location is fine, and he is to work with staff as needed. Trees are damaging to his property.

The applicant spoke and said he was in agreement with the board to leave it to his discretion. The applicant said he was also in agreement in working with staff, which will require a minor COA, if he chooses to replace the trees. Chairman Nestor asked the board's opinion. Everyone seemed to be in agreement with the above suggestions and comments. No other comments were made from the applicant or neighbors.

FINDING OF FACT:

Commissioner Worley moved that the Historic Preservation Commission, Find as Fact that the proposed project COA-10-23 @ 305 N. Gulf Street if the proposed tree removal is done in accordingly with the decisions, by the Historic Preservation Commission is congruous with the character of the district for the reasons that: appurtenant features, and fixtures are generally in harmony with the criteria and design guidelines in the special character of the neighboring properties, and the historic district as a whole, because the appurtenant features and fixtures of the landscaping of the proposed project is congruous. Two other such features found on the existing structures and landscapes or on other structures and landscapes in the district, and it was seconded by Commissioner Gurwitch, and it passed unanimously.

DECISION:

Commissioner Worley moved based on the preceding Findings of Fact, that the Historic Preservation Commission grant a Certificate of Appropriateness to Michael and Debra Fincher, and approved the proposals as shown in COA-10-23@ 305 N. Gulf Street, and it was seconded by Commissioner Gurwitch, and it passed unanimously.

At this time the citizens left.

OLD BUSINESS:

- Staff Whitmore passed out the new Commission Members list with Sam Gaskins as the new appointed City Councilman, whom will replace Charles Taylor, on June 30th. She shared information on the meeting that was held on Hawkins Avenue, and stated that our next HPC meeting will be back on schedule for May 24th, 2010. Staff Whitmore will continue to mail the packets to board members and Mr. Gaskins will be given one also. She said she would do a test by e-mail first, and then she asked everyone to notify her if they received it.
- COA's for April were discussed. Staff Whitmore shared that Joni Martin/with Progressive Contracting, Inc. received approval for a major COA. Another approval was granted at 152 Moore Street for replacing an awing color to Navy Blue.
- Chair Nestor asked Staff Whitmore if she had information regarding the parking area behind Chatham Street. Staff said she would ask Bob Bridwell.
- Mr. Taylor asked about completions of COA's. It was shared that David Montgomery had sent David Nestor an e-mail regarding COA's update. Chair Nestor shared letter with Mr. Taylor. Mr. Taylor has requested a list for the past three years.

- One vacancy on the HPC board.
- Commissioner Roethlisberger asked Staff, if the City of Sanford is required to get COA's when work is being done, and Staff Whitmore answered yes.

NEW BUSINESS:

- Mr. Taylor briefed everyone that he will no longer be serving as City Councilman for the HPC board due to other commitments, but gave high remarks to Mr. Gaskins, and that he will be a great asset to the commission.
- Mr. Taylor mentioned he has a friend that is with a group called Trees across Raleigh. They started in 1997. They have planted 8,000 trees, over 4,000 volunteers and have a value of over \$1 million dollars. He shared that it was a great program, and they had done a lot of planting in the historic districts in Raleigh. Mr. Taylor would like to bring them to a Law and Finance meeting. He asked if this may be something the board would be interested in. Mr. Taylor shared that they have arborists on staff, and it is a non-profit organization, and he wanted everyone's feedback. The board gave Mr. Taylor a positive response. Staff Whitmore relay their web-site address @ Trees across Raleigh.org.
- Staff Whitmore distributed Rosemount-McIver guidelines. She asked the board to start reviewing the guidelines, and asked the board if they wanted to hold a special call meeting. Chair Nestor recommended to start reviewing the draft guidelines at the next HPC meeting. The decision was to proceed at next meeting. Before adjourning, Commissioner Gurwitch asked at what point the citizens will be involved, and it was decided not until the final draft has been reviewed. This information would be posted in the fall HPC newsletter.

Staff Whitmore stated that due to the budget, the signage color for the Historic District will not be changed. The earliest we can address replacing the signs will be fiscal year 2011-2012. The proposed signage for Academy Street will also be placed on hold until 2011-2012

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

Adopted this _____ day of _____

BY: _____

ATTEST: _____
Elizabeth Whitmore, Historic Planner II