

Minutes of the Regular Meeting of the  
Sanford Historic Preservation Commission  
West End Conference Room  
7:00 PM Monday, April 28, 2014  
Sanford Municipal Building

**Roll Call:**

**Commissioners Present:** David Nestor, Cheryl Myers, Allen Gordon & Jesse Coyle

**Commissioners Absent:** Carla Thomann, Jonah Godfrey, John Sheuring & Christy Crouch

**Staff Present:** Liz Whitmore, Anne Sears, Susan Patterson, City Attorney

**Government Official Present:** n/a

**Guests Present:** Jose Norato

**Approval of the Agenda for April 28, 2014**

Chair Nestor called the meeting to order. Staff Anne Sears called the roll and a quorum was determined. Chair Nestor asked for approval of the agenda. Staff Whitmore noted that she did not include the Parking Ordinance; because she had not heard from City Attorney, Susan Patterson. Chair Nestor noted he had some minor changes to add. Mrs. Patterson stated that the minutes were not ready to be approved. Commissioner Meyers made a motion to remove the approval of the March minutes from the agenda. Chair Nestor noted that the minutes will be tabled until the next meeting. Commissioner Myers moved to approve the agenda as amended; seconded by Commissioner Gordon and the motion passed unanimously.

**Approval of the March 24, 2014 Minutes**

The March 24<sup>th</sup> minutes were tabled until the next meeting on May 19<sup>th</sup>, 2014.

**There was no Public Comment.**

**Public Hearings:**

**In accordance with the General Statutes the Public Hearing was advertised, once a week for two successive calendar weeks prior to the meeting date.**

**Staff Whitmore and Mr. Jose Norato were given the oath.**

**Review of application for Certificate of Appropriateness COA- 14-11**

**5. a. Application by Jose Norato property owner of 527 Summitt Drive who wishes to remove five trees in excess of eight (8) inches in diameter at breast height, all trees are located in the rear yard.**

**There was no conflict of interest among the Commissioners which would prejudice the decision making process.**

Staff Whitmore summarized COA-14-11 staff report. Staff Whitmore indicated that all public notifications have been fulfilled and this matter was tabled from the last meeting. She referred to the supportive material in the package submitted to the Commissioners with pictures; Exhibit A, B, C, D and E. Exhibits A, B, C, & D show how the water has pooled in the back yard when it rains; how the trees are too close to the foundation; cracking the foundation and limbs have fallen onto the house and damaged the metal awning. The guideline states it is ok to remove a large tree because it is diseased or damaged or it is a threat to the structure you should replace it with a new tree of the same species. On Page 8 and 9 shows there is a large tree in the rear back corner and a concrete pad. Replacing the same species of trees in the back yard is inappropriate; because the back yard is too small; the front yard is larger. The board discussed whether or not the trees should be replaced, the type and who's responsibility is it to pay for the trees. Staff Whitmore noted that if the applicant chooses to replace the trees; she would recommend planting smaller ornamental trees which could either be placed in the front or back yard at his cost. Mr. Norato would have to obtain a COA if he chooses to do so and staff said she could meet with Mr. Norato to go over this with him. Attorney Patterson asked at this time for a written certification. Staff Whitmore will provide written certification for the case. Staff noted on page 12, there is an aerial photo stating the location and types of the trees. Mrs. Patterson noted on page 73 of the proposed guidelines it states the different types of trees.

Mr. Norato spoke at this time. He said he plans to make improvements by grading and improving the drainage. Mr. Norato said that some of the trees are too close to the house; they produce a lot of shade; there is no way to grow grass and this is why he would like to remove the trees.

**Chair closed the Public Hearing.**

The board continued to discuss whether or not Mr. Norato would need to replace any trees; plant shrubbery, or do landscaping. Ms. Whitmore said that she had not discussed landscaping with the applicant; but the applicant is willing to replant trees if the board requires him to do so. It was the consensus of the board that they were fine with the removal of the trees with no other requirements.

**Public hearing is reopened.**

Mr. Norato stated that once the trees are gone; that he hopes to plant grass; trees, and a garden in the back. His plan is to resell the home.

**Public hearing is closed.**

Staff Whitmore was asked to read the written certification into the record: She stated that the five trees located in rear yard have become overgrown for the site. No vegetation can grow due to extensive shade. Three of the trees are located in close proximity of the house causing damage to the resource. (Exhibit E)

**FINDING OF FACT MOTION:**

**Commissioner Myers moved that the Historic Preservation Commission find as fact that the proposed project COA-14-11, 527 Summitt Drive, if the tree removal is done in accordance with the decision by the Historic Preservation Commission, is congruous with the character of the district because these five trees that we are talking about that is located in the rear yard have become overgrown for the**

site; there is no vegetation growing under these trees; due to excessive shade that these trees are located in closed proximity to the house causing damage to the house and the brick foundation and that removing these trees would be beneficial to the property itself; the home itself and be in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. Commissioner Allen Gordon seconded and it passed unanimously.

**FINAL MOTION:**

Commissioner Myers Based on the preceding finding(s) of fact, I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Jose Norato and approve the proposal(s) as shown in COA-14-11, at 527 Summitt Drive with no conditions. Commissioner Allen Gordon seconded and it passed unanimously.

Mr. Norato leaves at this time.

**Old Business:**

6. a. Staff Whitmore provided everyone a copy of the Final Draft of the Rosemount-McIver Guideline and noted the corrections that she had made. Chair Nestor stated that he had a few corrections. The Matrix; updated by Commissioner Myers is included at the back of the guidelines. The Matrix is a chart that helps you determine what the guidelines say. (Minor or Major cases) Every homeowner will receive a guideline book or they can read it on line. Chair Nestor said he would like to move forward on adopting the guidelines. Attorney Patterson asked that new Commissioners on this board be given an opportunity to read the guidelines and then vote on it. At the next meeting they can then recommend it to Council to vote on it. (A public information meeting should be scheduled before it is presented to Council.) Mrs. Patterson suggested that if could be scheduled as one of the regular meetings; if there is not a case. The board decided to set a date of June 9<sup>th</sup> at 7:00 at the Library on Hawkins Avenue for the meeting. Mrs. Patterson suggested providing an example of a Minor and a Major case to help the homeowner determine if they need a COA or not.

**7. NEW BUSINESS:**

a. Staff Whitmore provided updates on minor approved COA's (see list included by reference).

She shared that the GLC training is May 30<sup>th</sup>. She will be attending that day; but two more people are needed to go to maintain our local government certification standards.

**8. ANNOUNCEMENTS:**

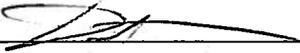
Joe Delvechio with Local Joes is at a standstill. He has not made a decision about making improvements to his business. Breakers Billiard Hall on Wicker Street has contacted staff Whitmore about removing the metal façade on his building. He has not applied for a COA yet. Chair Nestor shared that Second Sunday's was great with forty six vendors participating. It is from 12:00 to 4:00 pm. The Bike Race on Sunday, April 28<sup>th</sup> was successful and the attendance was good. Block Party on Hawkins went well. These are volunteer groups helping their neighbors. Arts and Vines festival is May 3<sup>rd</sup> and May 4<sup>th</sup>.

**ADJOURNMENT:**

Chair Nestor called for adjournment: Commissioner Myers made a motion to adjourn; seconded by Commissioner Coyle, the motion passed unanimously. Meeting adjourned at 8:35 PM.

Adopted this 28<sup>th</sup> day of April, 2014.

Respectfully submitted,

  
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Chair, David Nestor

ATTEST: Anne Sears / 5/19/2014

Clerk: Anne Sears