

**DRAFT MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE HISTORIC PRESERVATION COMMISSION**

July 24, 2018

The Greenville Historic Preservation Commission held a meeting on the above date at 6:00 p.m. in Council Chambers of City Hall located at 200 West Fifth Street.

**COMMISSION MEMBERS PRESENT:**

Candace Pearce – Chair *	Justin Edwards X
Myron Caspar *	Chris Nunnally *
Mary Ellen Cole *	Bernard Schulz *
Jeremy Jordan *	Jordan Koonts X
Blake Belch *	Roger Kammerer X

The members present were denoted by an “\*” and those absent by an “X”.

Chair Pearce stated that Jordan Koonts resigned his seat on the HPC.

**STAFF MEMBERS PRESENT:** Thomas Weitnauer, Chief Planner; Domini Cunningham, Planner II; Gwendolyn Turnage, Administrative Assistant, Corinne Becker, Secretary

**OTHERS PRESENT:** Donald Phillips, Assistant City Attorney; and Kelvin Thomas, Communications Technician

**MINUTES:**

Mr. Caspar noted that the Applicant, Owner, and Project were incorrect on Major Works COA 2018-0012 in the June 2018 Minutes. They should read as follows:

<i>COA 2018-0012</i>	<i>1301 E 5<sup>th</sup> St., College View Historic District, Contributing</i>
<i>Applicant:</i>	<i>Frank Cassiano</i>
<i>Owner:</i>	<i>5<sup>th</sup> Street #2 Land Trust, Owner</i>
<i>Project:</i>	<i>Adjust the roofline on the rear of the house</i>

Mr. Caspar clarified his comments at the June HPC meeting regarding the use of the word “congruent”. He stated that in the April 2018 Minutes in three places the phrase “the application is in congruent with...” is used. The “in” and “congruent” is separated by a space. He suggested using “congruent” as an adjective and “in congruence” as a noun.

Motion made by, Chair Pearce to approve the June 26, 2018 minutes as amended and Mr. Caspar made a 2<sup>nd</sup>. Motion passed unanimously.

Gwendolyn Turnage swore in all of those who would be speaking at the meeting.

Attorney Phillips stated pursuant to North Carolina General Statute 168-388 and Section 4-H of the Historic Preservation Commission Rules of Procedure:

Conflict of Interest. No member of the Historic Preservation Commission shall participate in either the discussion or vote on any certificate of appropriateness in any manner that would violate the affected persons' constitutional right to a fair and impartial decision maker. Prohibited conflicts include but are not limited to a member having a fixed opinion prior to hearing the matter and not willing to consider changing his or her mind; undisclosed ex parte communications with the person before the Commission, any witnesses, staff or other Commission members; a close familial, business or other associational relationship with the affected person; or a financial interest in the outcome of the matter before the board. On any other matter before the Commission where such decision by the Commission shall be in an advisory capacity only, no member shall participate in the discussion or vote on such advisory matters where the outcome on the matter being considered is reasonable likely to have a direct, substantial, and readily identifiable financial impact on the member. Decisions on either a request for recusal by a member or objections by a person appearing before the board shall be decided by a simple majority vote. A member so disqualified will not be counted or included in the count to determine the appropriate voting majority for the issue before the Commission and will not negate a quorum of the Commission.

If a Commission member has had an ex parte communication that also needs to be disclosed at this time.

As a reminder, please keep in mind as members of the Commission, conversations among yourselves during the discussion periods of this meeting and your Committee meetings are not ex parte communications.

Chair Pearce asked if anyone would like to disclose ex parte communications. Seeing none she then described the format for the meeting.

### **OLD BUSINESS**

**COA 2018-0009:** 601 East 5th Street  
Applicant: William Bagnell/East Carolina University  
Project: A modification to the wall of a previously approved accessible ramp at the rear of the structure

Mr. Cunningham provided a project update, stating that the application was previously submitted and presented during the April 24, 2018 Historic Preservation meeting. The applicant now wishes to make a modification to the accessible ramp at the rear of the structure with approval from the North Carolina State Historic Preservation Office.

Mr. Aldrich described the modification to the ramp, stating that after the HPC approved the project, SHPO asked that the height of the masonry be minimized, particularly along the sidewalk. He provided multiple sketches to SHPO and referenced the sketch indicating the proposed modification, which was provided to the HPC. The new design includes a railing.

Chair Pearce asked Mr. Aldrich to show the construction document on the screen. She asked if the railing was made of aluminum.

Mr. Aldrich stated that it calls for wrought iron which is in keeping with other historic railings.

**Mr. Jordan made a motion to adopt the Findings of Facts as presented and accept that the application is in congruence with applicable guidelines. Mr. Belch seconded the motion and it passed unanimously.**

**Chair Pearce made a motion to approve COA 2018-0009 with modifications. Ms. Cole seconded the motion and it passed unanimously.**

**COA 2016-0004:** 601 East 5th Street  
Project: Previously approved demolition of garage to commence

Mr. Cunningham explained how this is notification that the previously approved demolition of a garage will commence shortly.

Chair Pearce clarified that this was previously approved and that this is merely notification.

Mr. Schulz asked whether the name of the applicant needs to be changed since the original applicant is no longer at ECU.

Chair Pearce stated that Mr. Bagnell is officially the one in the applicant spot at this time.

Mr. Nunnally stated that it is appropriate that the notification is being made to the HPC that the demolition is about to commence. That did not happen in previous cases. According to the guidelines the HPC should approve the documentation, not a third party, prior to the commencement demolition.

Chair Pearce stated that based on previous discussion, Mr. Bagnell, on behalf of ECU complied before the building is torn down.

## **NEW BUSINESS**

### **1. Major Works COA**

**COA 2018-0017:** 803 E 5<sup>th</sup> Street, College View Historic District, Contributing

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Applicant: Kelly Schillig with CSL Management  
Project: Renovation of a carriage house

Mr. Cunningham explained how there is a new applicant and contractor on this project, which was previously approved last year, but for this reason it's being presented as a major COA. He described the structure as a c. 1929 three car brick garage that was typical of the scale and degree of sophistication used in the construction of garages for houses on East 5<sup>th</sup> Street. The garage has open portals and a hip roof.

Mr. Cunningham stated that the proposal includes the restoration of one of the three garage doors and construction of two new garage doors to match the one they're restoring.

Design Guidelines (shortened to include only those that apply):

*Chapter 2, Windows and Doors 35-36*

- 1. Original windows, doors, and shutters **must** be retained and preserved. This includes all wood and metal sash, glass, and hardware.*
- 2. Openings and details of windows and doors, such as trim, casings, lintels, sills, and thresholds **must** be retained and preserved.*
- 4. Original windows, doors, and associated elements should be repaired by dutchman repairs consolidating, or otherwise reinforcing deteriorated sections.*
- 5. If replacement of a piece or a window or door element is necessary, only the deteriorated portion should be replaced while all else **must** be retained. The replacement section **must** match the original in size, scale, proportion, profile, materials, and detail.*
- 6. If replacement of an entire door or window is required because of total loss or irreparable deterioration as determined by a preservation professional, the replacement **must** match the original exactly in profile, dimensions, and finish. Replacement of windows and doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design is **not** permitted. Vinyl replacement windows are **not** permitted and snap-in muntins are **not** appropriate replacements for true divided light window panes.*
- 16. Existing window or door openings **must not** be filled or altered if it would diminish the historic character of the building. It is not appropriate to replace or cover glazing with plywood.*

*Chapter 2 Garages & Outbuildings 46*

- 1. Historic, contributing garages and outbuildings **must** be retained and preserved.*
- 2. All architectural features that are character defining elements of historic, contributing garages and outbuildings **must** be retained and preserved, including foundations, steps, roof form, windows, doors, architectural trim, and lattices.*
- 3. The guidelines for "Roofs," "Exterior Walls and Trim," "Windows and Doors," and "Foundations" apply to garages and outbuildings as well. See all pertinent sections for applicable guidelines.*

9. Modern garage doors shall be decided upon on a case-by-case basis. They **must not** present false historic style inappropriate to the property. Their installation **must not** detract from or damage the historic garage.

**Recommendations:**

**Staff:** Approval as the proposed project was previously approved under COA# 2017-03 on April 25, 2017. The work to be done is the same under a different contractor.

The proposed project is still in compliance with Design Guidelines, Chapter 2, Windows and Doors.

Guidelines # 1, 2, 5-6 & 16

Guidelines # 1-3 & 9

Michael Moore stated that one door is left but was too damaged to repair. He will use that door as a sample and build three new doors to match it.

Chair Pearce asked for a drawing.

Mr. Schulz asked for clarification of the owner, contractor and applicant/manager of the property.

Mr. Moore stated that CSL manages the property and he's the contractor working for them.

Chair Pearce asked if Mr. Moore had done other work in the area.

Mr. Moore stated that he's done window replacement at 508 W. 5<sup>th</sup> Street and 801 E. 5<sup>th</sup> Street. He also did window repairs and replaced a wood porch and exterior wood rot on the house at Delta Zeta.

Chair Pearce asked if he was also installing soffit lights.

Mr. Moore stated he's only under contract to replace the doors at this time.

Mr. Schulz asked if the owner or manager of the property were present.

Mr. Moore stated they are not.

Mr. Schulz asked if they could approve the request without the applicant present.

Mr. Nunnally asked Mr. Moore if he was acting as the agent of the applicant.

Mr. Moore stated that he was.

Mr. Nunnally stated that a note should be made that in the future there should be a document authorizing someone to speak on the behalf of the applicant. He said Mr. Moore did have legal authority with a signed contract.

Mr. Schulz stated that he was not comfortable approving a project without the owner present.

Chair Pearce asked Mr. Moore if he was a licensed contractor and if he had a signed contract.

Mr. Moore answered yes to both.

Chair Pearce stated that by law that makes Mr. Moore the agent.

Mr. Caspar stated that while he remembered having a good deal of input with former contractor, he doesn't remember what it was.

Chair Pearce stated she remembered John Tipton bringing roofing material for the slate roof of garage, and how the existing slate would later be used on the house. She stated that you could not even tell it was not slate. That was approved along with soffit lighting and other things. She clarified that it was not Mr. Moore's fault, but approval of this would imply approval of other work.

Mr. Nunnally stated that as a new COA, he felt the application before them could be considered and that other work could be considered at a different time.

Mr. Schulz stated that without applicant being there, it could set a precedent, particularly since the owner has contracted work to a management firm that is not present.

Chair Pearce stated she didn't think there was enough information.

Mr. Nunnally inquired as to the concrete floor.

Mr. Moore stated that it was already poured and that his understanding was that interior work did not require HPC approval.

Mr. Caspar stated that he felt they were upsetting the way they do business. This is a major works COA that has not undergone the review of the DRC prior to the HPC. He objects to that approach.

Chair Pearce stated the DRC did not meet because enough people were not available for a meeting. She did not feel postponement was necessary since she thought they were getting the exact work and specifications as the previous request. She thought only the contractor was changing.

Mr. Schulz moved to table the request until the next meeting until the DRC has time to take action and follow up with contractor and applicant.

Ms. Cole stated that Mr. Tipton was the only one present at the previous request regardless of who the applicant was, and she sees nothing incongruent with tonight's request.

Mr. Nunnally stated that absent a written agreement in the file, he's not sure they can accept someone speaking on their behalf without written authority. Seeing a written contract would absolve it for him.

Mr. Jordan stated that they may need to clarify their application so applicants are not confused, since it says if you cannot appear, you can appoint a duly authorized agent. It doesn't say anything about anything in writing.

Mr. Moore showed that he had multiple approvals signed by the sorority.

Mr. Schulz stated that the property owner's signature is not present on application, only the applicant.

Chair Pearce stated that while Mr. Moore is legally authorized, the applicant/owner have skipped the process of coming before the HPC. She had thought they could do this at this meeting rather than at DRC, which is easier. She'd like the floor problem to be addressed at the same time as the walls, and that the problem of the doors be addressed then as well. However, they want it done before school starts. Doesn't feel they can approve at this time but will meet with them at the DRC.

Mr. Nunnally suggested there may be some way to approve this despite concerns, since on its face, the application meets their guidelines.

Mr. Caspar stated there were structural issues that were supposed to be addressed, such as a rotted foundation.

Mr. Moore stated that the foundation is not rotten, the footings under the walls are fine and there was no existing slab. The roof needs repair but is not under contract at this time.

Mr. Nunnally asked if they could approve, as a matter of fact, only the garage doors at this time.

Chair Pearce asked if it was Mr. Moore's intention to build doors in the same design, and whether, since he put wood windows in previous projects, they could believe he was qualified to do that.

Mr. Moore said yes, that is the case.

**Mr. Nunnally made a motion to approve the application on its face, as it's before them as conforming with the guidelines based on the narrative that the applicant indicates that "we will construct two new garage doors to match existing and the garage will have three total doors" So that the replacement doors will match the former. Mr. Nunnally further stated that the application as presented conforms with the guidelines in that the replacement doors would match the former and based on that he moved to approve the COA.**

Mr. Schulz asked for Attorney Phillips' clarification of the legality of the application that he doesn't feel is complete.

Attorney Phillips stated that Rules of Procedure Section 7G3 states "the applicant and others shall present arguments in support of the application". His recommendation is that with the applicant present it be found to be complete.

Chair Pearce stated that with a signed contract Mr. Moore is the applicant, which was also the case under the previous request with Mr. Tipton.

Mr. Schulz stated that he previously served on a fraternity and most of the time the headquarters is actually signing the application before city officials.

Chair Pearce asked that pictures of the doors and a copy of his contract be added to the application.

**Ms. Cole seconded Mr. Nunnally's motion. With no further discussion Chair Pearce called for a vote. The motion passed 5-2, with Mr. Schulz and Mr. Caspar voting against the motion.**

Mr. Caspar asked if they now wait for another COA to come before them for the roof and other issues with the garage such as lighting.

Chair Pearce clarified that findings of fact were approved. She asked Mr. Moore to tell the management company that the HPC is very concerned about the character of this building and would appreciate them bringing more information including pictures.

**Ms. Cole made a motion to approve COA 2018-0017 and Mr. Belch seconded. The motion passed 5-2, with Mr. Schulz and Mr. Caspar voting against the motion.**

Mr. Jordan pointed out that the property owner's signature line on the application says "property owner's signature if not applicant". He stated this is something they need to look at so applicants can clearly know what is needed.

Chair Pearce told Mr. Moore most of the buildings they deal with are not big business.



## **2. Staff Report: Minor Works COA**

**2018-0014:** 508 W 5th Street, Local Landmark

Project: Remove and replace a diseased tree

Mr. Cunningham stated that the tree was already removed and was administratively approved. He said trees are removed ASAP since it can pose a safety hazard.

Mr. Nunnally asked that pictures be provided in the packet for any work that is done.

Mr. Moore provided a picture of the Willow Oak tree that was removed and a letter from the arborist, Steven Jones, who removed it.

**2018-0015:** 801 E 5th Street, College View Historic District, Contributing

Project: Remove/replace damaged stone tiles within walkway

Mr. Cunningham showed a picture and pointed out the damaged tiles. The work has not been done yet.

**2018-0016:** 508 W 5th Street, Local Landmark

Project: Replace rot damaged wood

Mr. Cunningham showed a picture and stated that the work had already been done and was administratively approved.

Chair Pearce asked Mr. Moore to give Mr. Cunningham copies of his documents for the record.

### **PUBLIC COMMENT PERIOD**

Chair Pearce commended Israel Mueller for his past, present and future attendance.

Seeing no speakers, Chair Pearce closed the public comment period.

### **COMMITTEE REPORTS:**

#### **Design Review Committee**

Did not meet.

#### **Publicity Committee**

Did not meet.

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## **Selection Committee**

Did not meet.

Chair Pearce asked that if someone knows they cannot meet at the times scheduled, please change committees.

## **ANNOUNCEMENTS/OTHER:**

Chair Pearce asked the status of the Minor Works COAs at 200 Southeastern St.

Mr. Cunningham stated that he did not have a status for those.

Chair Pearce asked Mr. Weitnauer if he had the status.

Mr. Weitnauer said he did not have a status report but would get one for the next meeting.

Chair Pearce asked the status of the painting for the Minor Works at 801 & 803 E. 4<sup>th</sup> St.

Mr. Weitnauer stated that they have scraped and replaced rotten window frames.

Chair Pearce asked if they could get a picture next month and stated they'd like to have updates to COAs they have approved.

Chair Pearce asked about the project by Holton Wilkerson.

Mr. Weitnauer stated that an updated survey is being prepared. He will provide it when it is finished.

Chair Pearce asked for an update of 805 Evans St.

Mr. Weitnauer stated he did not, except that a security light was added.

Chair Pearce asked if there was an update to the Major Works COA at 401 Jarvis St.

Mr. Cunningham stated building permits have been issued and construction has started.

Chair Pearce asked if there was an update to the Major Works COA at 1305 E 5<sup>th</sup> St.

Mr. Weitnauer stated a permit had been pulled.

Chair Pearce asked the status of 402 S. Library St.

Mr. Cunningham stated the fence has been completed.

Chair Pearce asked that regular status updates be provided from start to finish of each project they approve.

Mr. Nunnally stated that a lack of updates on projects involving the Facade Improvement Grant was an issue. They had lots of before but few after pictures.

Chair Pearce stated that after pictures are required to get a check with the FIG. The HPC needs all the records as well.

Mr. Cunningham asked if this information should be included in the staff report.

Mr. Schulz suggested it be included in New Business under the heading of Updates on Previously Approved Major and Minor Works.

Chair Pearce stated that they need to look at their design guidelines for Minor Works because a Minor Works project could be viewed in multiple ways.

Mr. Weitnauer stated they can take a look at the list of Minor Works and work with staff on amending them.

Mr. Caspar reminded members that this is the time of year owners of rentals are discarding garbage, and doing various types of construction. They need to keep an eye out.

Chair Pearce said she would like staff to watch what is being done as well.

Mr. Caspar stated that the ECU facilities services parking lot was repaved over the weekend and asked if that was a major or minor works project.

Mr. Cunningham stated there are regulations concerning parking on unimproved surfaces.

Mr. Caspar stated they replaced the asphalt and they'd had an agreement with a neighborhood association involving the number of parking spaces and thinks they may have increased when it was repaved.

Mr. Cunningham verified the address as 1005 E 4<sup>th</sup> St.

**With no further discussion, Mr. Schulz made a motion to adjourn, Mr. Nunnally seconded, and it passed unanimously. The meeting adjourned at 7:13 pm.**

Respectfully Submitted,

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Thomas Weitnauer, Chief Planner  
Interim Historic Preservation Planner