

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

June 23, 2009

The Greenville Historic Preservation Commission held a meeting on the above date at 7:00 p.m. in the City Council Chambers of City Hall located at 200 West Fifth Street.

**COMMISSION MEMBERS PRESENT:**

Minnie Anderson	Ryan Webb	Dennis Chestnut
N. Yaprak Savut	Dale Sauter	Roger Kammerer
Ashley Wetherington		

**COMMISSION MEMBERS ABSENT:**

Candace Pearce	Jeremy Jordan	Christy Koren
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**STAFF MEMBERS PRESENT:** Seth Laughlin, Planner; Sarah Radcliff, Secretary; Jonathan Edwards, Communications Technician; Bill Little, Assistant City Attorney

Mr. Laughlin stated since the Chair and Vice-Chair was absent a pro-tem chair would need to be nominated to conduct the meeting. Motion was made by Mr. Chestnut, seconded by Mr. Sauter to nominate Yaprak Savut as chair. Ms. Savut accepted.

**APPROVAL OF MINUTES OF MAY 26, 2009**

Mr. Chestnut stated there was an error in the minutes on page 4. He said "new" should be "knew". Ms. Radcliff stated she would make the correction. Motion was made by Mr. Webb, seconded by Mr. Chestnut to approve the May 26, 2009 minutes as modified. Motion carried unanimously.

**PUBLIC COMMENT PERIOD**

There were no public comments.

**OLD BUSINESS**

**Intermodal Transportation Center**

Mr. Laughlin gave an update on the Intermodal Bus Transportation Center. He stated the draft Environmental Assessment was posted on the project website. Residential appraisals were submitted and commercial appraisals are due as scheduled. Staff and the consultant met with SHPO staff and conducted a site tour. Staff briefed Congressman Butterfield on the intermodal center and submitted a request for his office to support extending the deadline for earmarked funds.

## CLG Grant Application Follow Up

Mr. Little stated the complete minutes from the two meetings when the CLG Grant Application was discussed should have been in the packets rather than excerpts. He said that would have shown who was present at the meeting. He asked for the item to be continued to next month so the entire minutes could be incorporated in the package.

Ms. Savut asked Mr. Chestnut if that was what he wanted.

Mr. Little said he thought it was necessary in order to answer the questions that he had.

Mr. Chestnut said he wanted to add an item to the agenda. He wanted to discuss the process for designation of historic areas. He said it stated they were notified on the 27<sup>th</sup> of a grant that had a deadline of the 15<sup>th</sup> and that was how they ended up having to appoint an Ad-hoc committee to make a decision. He said if there is an annual deadline why are they acting on it two weeks prior to the deadline. He stated he wanted the granting procedure to be looked at next month.

Ms. Savut asked if it could be added to next month's agenda.

Mr. Laughlin said he would do that.

## **NEW BUSINESS**

### COA: 09-06 705 E. 5<sup>th</sup> Street/410 S. Student Street

Mr. Laughlin stated the applicant proposes to rebuild the exterior rear staircase and repair the front porch balustrade of the 705 E. 5th St. home. They are proposing to replace the trim molding around the window at the 410 Student St. annex. Notice of this hearing was published in the Daily Reflector on June 8<sup>th</sup> and 15<sup>th</sup>, 2009. Mr. Laughlin said the home was originally built for the Zebulon Whitehurst family. It is a two-story wooden structure of the American Foursquare style. Identifiable features include: hip roof and hip roof dormer, near full-width two-tiered porch, and wide overhanging eaves displaying exposed rafters. The home is likely to have been originally built as a rental.

Mr. Laughlin stated the property is located in the College View Historic District. The College View Historic District was established by ordinance #94-23 by City Council on Feb. 10, 1994, recorded in Register of Deeds (Deed Book 494, page 633). The Findings of Fact are as follows: repair work was undertaken by the applicant on the front porch balustrade, rear exterior stair was completely removed and replaced, and window trim was repaired without prior COA approval. Public Works issued a stop-work order to the site on March 31, 2009 as no building permit had been obtained for the rear staircase. The current proposal is to rebuild the exterior rear staircase to meet both Historic District Design Guidelines and NC State Building Code, to repair portions of the front porch balustrade in a compliant fashion and to replace trim molding around the window of the 410 Student Street annex. Mr. Laughlin read the applicable portions of the Design

Guidelines from Chapter 2 regarding wood, pages 28-29.

2. Retain and preserve all wooden features that are character-defining elements of a historic building, such as siding, shingles, brackets, cornices, balustrades, columns, pediments, and architraves.
3. Retain and preserve historic wooden fabric whenever possible. If replacement is necessary, use new wood that matches the original in dimension, shape, detail, and texture.
4. Protect and maintain wood surfaces and elements in appropriate ways.
5. Repair original wooden elements and details by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
6. If replacement of a wooden element or detail is necessary, replace only the deteriorated element to match the original in size, scale, proportion, material, and detail.

The following are from applicable portions of the Design Guidelines, Chapter 2 regarding porches, entrances and balconies, pages 28-29.

1. Retain and preserve all architectural features that are character defining elements of porches, entrances, and balconies, including piers, columns, pilasters, balustrades, rails, steps, brackets, soffits, and trim.
2. Retain and preserve historic porch and balcony material, much as flooring, ceiling board, lattice, and trim, whenever possible.
5. Repair wooden elements by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
6. If replacement of a porch element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, material, texture, and detail.

The following are from applicable portions of the Design Guidelines, Chapter 2 regarding windows and doors, pages 16-19.

2. Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.
3. Protect and maintain existing windows and doors in appropriate ways:
  - Maintain a sound paint film on all wooden windows and doors
  - Monitor condition of wooden windows and doors
4. Repair original windows, doors, and frames by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
5. If replacement of a window or door element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division, materials, and detail.

Mr. Laughlin stated staff recommends approval of the COA on the condition that all work is compliant with the Design Review Guidelines including removal and replacement of all non-compliant materials, styles and manner of performance previously noted and consistent with the recommendations set forth in the staff report which are adopted and incorporated herein by reference.

Mr. Robert O'Connor spoke on behalf of his request. He stated that he just wanted to improve what was already there with the same type of materials. He said they were able

to retain some of the original balustrades. He said now that he knew the procedure he would follow all recommendations and comply with the Design Guidelines.

No one else spoke in favor or opposition to the request.

Ms. Savut closed the public hearing and read the Finding of Facts.

Motion was made by Mr. Chestnut, seconded by Mr. Sauter, to approve the Finding of Facts. Motion carried unanimously.

Motion was made by Mr. Chestnut, seconded by Mr. Sauter, to approve the COA. Motion carried unanimously.

### Façade Improvement Grant Applications

Mr. Laughlin stated he had received a total of ten applications from three different properties. Application 09-01 is for 414 South Washington Street, which is the former Globe Hardware building. Mr. Laughlin stated this property had applied for two different grants in the past and had received funding for both in the amount of \$2,500 each. Both projects were completed and the grant money was reimbursed to the applicant. He said the building is a one story brick building built in 1910 for J.E. Winslow's livery stable. Globe Hardware was first listed as occupying the address in 1951. Interior & exterior renovations are ongoing as the property is being converted to a restaurant use. The property is a contributing structure in the Commercial Historic District. Mr. Laughlin stated the applicant is requesting \$5,000 for the west façade. The application was complete with two estimates. The applicants wish to repair the brick and mortar, tuck point as necessary, and apply lime-based stucco. The lowest estimate received was for \$14,500.

Ms. Savut asked Mr. Laughlin to clarify the amount of money available for this round of applications before moving on.

Mr. Laughlin stated there was just over \$28,000 available. He asked if the commission wanted him to continue to go through each application and vote on all at the end of the presentation or if they wanted to vote on each one separately.

Ms. Savut asked what the commission members would like to do.

Mr. Chestnut stated he wanted Mr. Laughlin to go through each application and then hear the DRC's recommendation.

Mr. Laughlin stated applications 09-03 through 09-06 were for 200 West Third Street, Mills and Economos, LLP. They have no past FIG activity. The building is a one-story commercial building with a stucco exterior that was built in 1979. It is located outside the Downtown Historic District and is not a contributing structure.

Ms. Savut asked if this was a complete application.

Mr. Laughlin stated it was a complete application. He said incomplete applications would not be included in the presentation. Application 09-03 is a request for \$3,137 for the south (W. 3rd Street side) façade. The application is complete with two estimates. The project is for replacement of stucco and windows. The lowest estimate received was \$6,627. Application 09-04 is a request for \$1,727.00 for the north (rear) façade. The application is complete with two estimates. The intent of the project is for replacement of the stucco. The lowest estimate is \$3,455.00. Application 09-05 is a request for \$1,462.00 for the west (side facing S. Green Street) façade. The application is complete with two estimates. The project is for the replacement of stucco and windows. The lowest estimate is \$2,924.00. Application 09-06 is a request for \$1,462.00 for the east (side facing S. Washington Street) façade. The application is complete with two estimates. The applicants intend to replace the stucco and windows. The lowest estimate is \$2,924.00. Mr. Laughlin stated the final application is from City Center, LLC. Their past FIG activity includes ten grant applications submitted with seven being approved at a total of \$17,367.84. Four of the applications were approved under previous ownership with two being released and three were approved for City Center, LLC in spring of 2007, but those funds were later released. The total number of FIG projects completed is two with a total reimbursement amount of \$4,867.84. The building, known as the Brown Building, is a two-story early twentieth century commercial building, built circa 1923; originally Willard's Grocery & dry goods, later Reid's Department Store (1949 – 1980). 629 Dickinson was demolished in 2007, which exposed the northeast side of the Brown Building, making it highly visible from Reade Street/Uptown. It is a contributing structure in the Dickinson Avenue Historic District. Application 09-07 is a request for \$5,000 for the south (8<sup>th</sup> Street side) façade. The application is complete with two estimates. The applicants intend to repair masonry, repaint, and install seven single windows & one double- window on the first floor. The lowest estimate is \$14,500. Application 09-08 is a request for \$5,000 for the north (Reade Circle) façade. The application is complete with two estimates. The intent of this project is to repair the foundation; repair, seal, repaint masonry; and remove tar & extraneous elements. The lowest estimate is for \$10,000. Application 09-09 is a request for \$4,400 for the west (front facing Dickinson Ave.) façade. The application is complete with two estimates. The applicants intend to repair the masonry, window trim; replace non-original door; repainting; and signage. The lowest estimate is \$8,800. Application 09-10 is a request for \$5,000 for the rear façade. The application is complete with two estimates. The intent of this project is to repair masonry; remove bricked-in entrance and window; install door, window, transom, and wrought iron rail. The lowest estimate is \$10,000. Mr. Laughlin stated the Design Review Committee met and made the following recommendations: 09-01: 414 S. Washington Street, West Façade \$5,000; 09-07: 631 B. Dickinson Ave., South Facade \$5,000; 09-08: 631 B. Dickinson Ave., North Facade \$5,000; 09-09: 631 B. Dickinson Ave., West Façade \$4,400; 09-10: 631 B. Dickinson Ave., East Facade \$5,000; 09-03: 200 W. Third Street, South Façade \$2,500. He stated the total of recommended awards is \$26,900.

Ms. Savut asked if there were any questions about the Design Review Committee's Report or about the applications.

Mr. Chestnut asked if there was a non-contributing structure included in the recommendations.

Ms. Savut stated there was a non-contributing structure but it was in the historic area. She said it was a visible façade and since they had the money available they decided to use it.

Mr. Chestnut asked which one was non-contributing.

Mr. Kammerer said it was number 6.

Mr. Laughlin stated it was the property located on West Third and Washington with the façade being the front of the building facing West Third Street.

Mr. Chestnut wanted to point out that one of the buildings was receiving recommendation for four facades.

Ms. Savut stated the DRC looked at several aspects like if the application was complete, if the property is in a nationally recognized historic district and if the property was a contributing property. She said the contributing properties had priority to the non-contributing properties. She said they chose to support the contributing properties first and then still had money left over to support a non-contributing property.

Mr. Chestnut asked if there were any historic commission members involved in the projects selected for funding.

Ms. Savut stated there were copies of the bids included in the application packages.

Mr. Chestnut said he had not had time to look through all of them and thought the DRC would have looked at that.

Mr. Laughlin stated Ms. Pearce's company was a bidder for the City Center property. He said there was no HPC member involvement on any of the other applications that he was aware of.

Mr. Chestnut asked which of the applications had involvement from staff.

Ms. Savut said it was 09-07, 09-08, 09-09 and 09-10.

Mr. Chestnut asked if those persons involved sat on the Design Review Committee and participated in the recommendations.

Ms. Savut stated that person was at the meeting.

Mr. Chestnut asked if that person recused him or herself from the voting.

Ms. Savut stated she did not recuse herself but of the ten applications, six of them were contributing to the historic district and one of the applications was incomplete. She said they awarded the five contributing applications and one non-contributing application.

Mr. Chestnut said he understood what was done but there should not have been a person voting on a project that they were involved with.

Mr. Webb asked about the scorecard used by the committee.

Ms. Savut said they used the scorecard and each member gave points and they used the mean score for their recommendations.

Mr. Chestnut stated he wasn't questioning the outcome of the process, but rather that a person involved in a project should not be a part of the discussion or vote on that project.

Mr. Little stated staff had confirmed that the person who submitted a bid on 631 Dickinson who was also a member of the HPC did participate in the voting process which was not permissible. Mr. Little recommended having the entire application be withdrawn from consideration.

Ms. Savut asked if the DRC could meet without the participation of that member and revote on the applications.

Mr. Little stated that was up to the committee. He stated it could not be voted on by the commission in its current state due to the conflict of interest.

Ms. Savut asked the commission if they would like for the DRC to meet again without the presence of the person involved.

Ms. Anderson recommended the committee study the issue before it is voted on again so that it will not happen again. She said they all knew the guidelines and didn't understand why it had happened. She felt they needed to address those concerns before they met again.

Ms. Savut asked how she wanted them to proceed.

Ms. Anderson said they needed to ask the commission.

Mr. Webb asked if there was a way to subtract out that person's points from the scores.

Ms. Anderson said they were still talking about that person. She said we need to do what is right.

Mr. Webb stated the same four applications were submitted last cycle and were not funded. He asked if they could take that into consideration.

Mr. Chestnut stated he didn't think they could proceed on this information from that committee at any level given there was a conflict of interest. He said there were several ways to deal with it. He said they could stop and look at the process, which would put all of the grants in abeyance. He said it was better to be clear when working with moneys and grants even if it takes a little longer. He said they had had this issue before about recusal of one's self. He said as he understood it, the person did not have to be absent from the meeting, they just couldn't vote on the application.

Mr. Little said they had to specifically recuse themselves from the vote. He said if they are present and just do not participate it would count as a yes vote.

Ms. Savut asked if they wanted them to fund the applications that did not have bids from the commission member.

Mr. Chestnut said he wanted Mr. Little to address the question and give his advice to the commission.

Mr. Little said to protect the integrity of the grant process, the appropriate solution would be a motion with a majority vote to return all applications to the DRC for reevaluation. He said the commission could set the criteria to be considered by the DRC.

Ms. Anderson said it seemed to her to be the opposite. She said she was not clear on what he was saying.

Mr. Little said he was saying to return it to the DRC and have the committee review it for compliance as they always have for FIGs. He said since there was a flaw in the beginning it would not be appropriate to try to recover it tonight.

Mr. Chestnut stated he understood what he was saying; however, he heard it as sending it back to the committee that made the flaw and asking them to reevaluate the applications while being compliant with the rules and guidelines. He felt if they made that kind of flaw before, something should be done to be sure they did it correctly the next time. He asked if one of the criteria could be that legal counsel sits in with them when they meet again.

Mr. Little stated that could be done or the commission could return it to the DRC with a set of rules for them to follow.

Mr. Chestnut asked if legal staff could help devise those rules.



Ms. Savut asked if the Selection Committee or any other members of the commission could attend the DRC meeting.

Mr. Little stated at the beginning of the year they were all divided up into various committees. He said the only way they could change it would be to make a rule change or make new appointments, which would delay the process two more months.

Mr. Chestnut made a motion to return the matter to the DRC for reevaluation and that they comply with the guidelines that this commission has and/or a set of rules provided by legal staff. Ms. Anderson seconded the motion.

Ms. Wetherington asked if it was sent back to DRC if it would be this specific address or all of the applications.

Ms. Savut stated it would be all of them.

Mr. Webb stated he felt they needed to take the subjectiveness out of it. He said he didn't remember ranking the properties in order.

Ms. Savut said it was done the same way last year.

Mr. Webb asked what kinds of things the committee members asked that were not yes or no questions. He asked what caused certain ones to get more points.

Ms. Savut stated one façade could be more visible than the other. Other questions that affected the scores were "has the applicant ever applied for a FIG in the past, and, if so, what was the outcome?"

Mr. Webb said it would be easier for him to see it in a spreadsheet format where he could tally up all the points.

Mr. Chestnut said if that was what he was really concerned about then they needed to address that before sending it back to the DRC.

Mr. Webb said he understood it all but in order to understand the big difference in the points a straight list would be more helpful.

Mr. Chestnut asked if he was in agreement that to do that would require the commission to sit down and establish those criteria. He said if that were the case they could not send it back before the next meeting. He said if that is what they are asking then he would withdraw his motion.

Mr. Sauter asked if it was an option to not bring in legal staff.

Mr. Chestnut said in the present motion they didn't ask legal staff to come in.

Mr. Webb said he felt they could vote on it on their own accord.

Mr. Chestnut said he would rather correct what the committee was doing than to reestablish the procedure.

Ms. Anderson said she had two concerns. They were talking about criteria and conflict of interest. She said there was a motion and a second on the floor and they were getting away from what they had originally started discussing regarding conflict of interest. She said the criteria issue was not in the motion.

Mr. Chestnut stated he was going to stay with his original motion. Ms. Anderson said she would still second. Motion carried unanimously.

#### Staff Report: Minor Works COA's

Mr. Laughlin stated there were no Minor Works for the month of June.

#### Staff Report: Update on non-compliant historic properties

Mr. Laughlin stated all of the compliant windows had been installed at 400 S. Summit Street and he just needed to make a final inspection of the property.

### COMMITTEE REPORTS

#### Design Review Committee

Ms. Savut stated the DRC had met and would meet again to reevaluate the FIG applications.

#### Selection Committee

Mr. Sauter said the Selection Committee did not meet.

#### Publicity Committee

Mr. Webb stated the Publicity Committee did not meet.

### **ANNOUNCEMENTS/OTHER**

Mr. Chestnut asked Mr. Laughlin if the list of persons to do the study for the grant had been received.

Mr. Laughlin said he received the list today.

Mr. Chestnut said he did contact the chair by fax to ask the process for selecting that

individual and did not get a response. He said it was a question for the commission.

Mr. Laughlin said there were six or eight names provided by the SHPO, with Dru York being the only local consultant listed. He said he met with Scott Power of the SHPO and he was going to help him derive a list of proposals to send out to the consultants. He said they would go over them and he would keep the commission informed. He said it would be largely guided by the state office.

Mr. Chestnut questioned this process.

Mr. Laughlin said the SHPO would let him know how the process goes and he would bring the list to the HPC for them to choose the consultant.

Mr. Chestnut stated it was important to look at the issues of conflict of interest with a staff member being on the list.

Mr. Laughlin stated staff was aware of that and would look at the matter very carefully.

There being no further business, the meeting adjourned at 8:15p.m.

Respectfully submitted,

Seth M. Laughlin  
Planner II