

**Minutes of the
New Bern Historic Preservation Commission
January 21, 2009**

The New Bern Historic Preservation Commission (HPC) held its regular meeting on Wednesday, January 21, 2009 in the 3rd Floor Planning Conference Room, 248 Craven Street.

Members Present: Diane Filipowicz, Chair
Peter Adolph, Vice-chair
Jay Heck
Rich Frye
Karen Britton
Bradley Cummins
Richard Parsons
Sadaf Hassan

Members Excused/Absent: Jack Morton, Jr. (E)

Staff Present: Leigh Anne Friesen, AICP, Planner
Michael W. Avery, AICP, Director of Planning

The meeting was opened and roll call was taken. A quorum was reached. Chairwoman Filipowicz discussed the function and qualifications of the Historic Preservation Commission and its members. Witnesses were sworn in. The Commission reviewed the minutes from the December meeting. Commissioner Adolph, with a second by Commissioner Britton moved to approve the minutes as submitted. The motion passed unanimously.

Witnesses Sworn: Larry Deckerd, Bobby Patterson, Sarah Afflerbach, George Delaney, and others.

New Business

- 1. Consider COA for 375 South Front Street, owned by BB&T Bank, for window and shutter replacement.**

Staff Comments: Staff Leigh Anne Friesen showed a video of the building and read and commented from the application and staff notes.

Applicant's Comments: Architect for BB&T Larry Deckerd commented that the bank wanted to have aluminum clad windows and fiberglass shutters to replace the current wood ones to reduce maintenance and other costs. He discussed the durability and finish benefits of aluminum over vinyl.

Public Comments: NONE.

Discussion by Commission: Commissioner Frye asked if synthetics were allowed in the guidelines. Staff Leigh Anne Friesen stated, "yes, in limited use". Commissioner Cummins asked if the porch columns would be replaced in-kind. Mr. Deckerd stated if replacement was required it would be in-kind. Mr. Deckerd stated the fiberglass shutters would be solid (not hollow) and would be operable.

Findings of Fact: Commissioner Adolph moved to approve and find the application congruous with the Historic Preservation Guidelines, citing 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: "New Construction", pages 44-49; "Materials (revised)", pages 46. 1-47, guidelines #1, 3 and 4. Seconded by Commissioner Heck. Motion Carried.

Discussion on Motion: Commissioner Frye asked if the window panes would be divided. Everyone agreed they would be.

Statement of Reason: The building is noncontributing, and the guidelines allow the use of synthetics in limited application on newer buildings.

Condition(s): NONE

Motion: Commissioner Frye moved to issue the certificate of appropriateness, with a second by Commissioner Parsons. The motion passed unanimously.

2. Consider COA for the even numbered 600 block of Broad Street, owned by Tabernacle Baptist Church, for phase 1 construction of the Family Life Center.

Staff Comments: Staff Leigh Anne Friesen presented a video of the site and highlighted information in the application and staff comments.

Applicant's Comments: Bobby Patterson representing the applicant gave a history of the project and expressed their desire to break it into two phases. He stated no details have changed from the last review. Mr. Patterson asked about parking on the corner lot and was told it needed to remain open space without parking.

Public Comments: A citizen asked to see what phase 1 would look like and where the trees would go. Mr. Patterson presented a sketch and addressed citizen and Commission questions.

Discussion by Commission: The Commissioners discussed the green space on the corner and the entrances to the proposed building.

Findings of Fact: Commissioner Frye moved to approve the application congruous with the Historic Preservation Guidelines, citing section 15-427 Certificate of Appropriateness required; section 15-429 Review Criteria, citing the following guidelines:

- “New Construction”, pages 44 – 49:
- “Placement of Structures”, pages 44 – 45, guideline(s)#1 - 4;
- “Building scale/height”, pages 45 -46, guidelines(s)#1 – 4;
- “Materials (Revised)”, pages 46.1 – 47, guideline(s)#1 – 5;
- “Details”, pages 47 – 48 guideline(s)#1 – 6;
- “Texture”, page 48 guideline(s)#1 – 2;
- “Form and Rhythm”, page 49, guideline(s)#1 – 4.
- “New Construction – Commercial (Non-residential)”, pages 44 – 49, guideline(s)#1 – 7.

Seconded by Commissioner Parsons. Motion carried.

Discussion on Motion: Summary comments on the open space area and relationship of phase 1 to the balance of the project and adjacent properties.

Statement of Reasons: The Project impacts all areas of visual concern. Metcalf Street has a similar rhythm and pattern in window fenestration as the Broad Street (south) and west elevations. The Metcalf Street (East), Broad Street (South), and West Elevations use recessed brick to create a relief in the large area of brick wall.

Conditions: Landscaping for the corner lot that is to remain as “no parking” open space should be appropriate and pre-approved by planning staff.

Motion: Commissioner Parsons moved to issue the Certificate of Appropriateness, with a second by Commissioner Adolph. The motion passed unanimously.

3. Consider COA for 215 New Street, owned by Skip & Jill Byrum, for installation of a below – ground, saltwater swimming pool and construction of a 2 – story pool house, height 23’ – 11” to the ridge.

Staff Comments: Staff Leigh Anne Friesen showed a video of the area and offered information from the application staff notes.

Applicant’s Comments: Sarah Afflerbach representing the applicant had no comments.

Public Comments: George Delaney, 219 New Street expressed concern about storm water run-off and flooding. He stated the rear of the area lots are low and the project will increase run off on to his lot. There was much discussion with Mr. Delaney, staff, the applicant and her pool contractor about drainage and the project’s potential impact. Generally speaking, the project meets the lot coverage limits, storm water is not addressed in the guidelines, the applicant could build a swale to help mitigate storm water concerns and most of the flooding comes from the county’s parking lot.

Discussion by Commission: Commissioners expressed a desire to help on drainage with a swale, but they couldn't deny the application based on storm water concerns. They received answers from staff and the applicant on lot coverage, building height, siding (hardi-plank), the doors on the side of the pool house (flat panel), the pool house is really 1 ½ not a full 2 stories, and the possibility of constructing a swale.

Finding of Fact: Commissioner Cummings moved to approve the application congruous with the Historic Preservation Guidelines citing section 15 – 247 Certificate of Appropriateness required; section 15 – 249 Review Criteria, citing the following guidelines:

- “New Construction”, pages 44 – 49:
 - “Placement of Structures”, 44 – 45, guideline(S)#1 – 6;
 - “Building scale/height”, pages 45 – 46, guidelines(s)#1 – 4;
 - “Materials (Revised)”, pages 46.1 – 47, guideline9S0#1 – 5;
 - “Details”, pages 47 -048 guideline(s)#1 – 5;
 - “Texture”, page 48 guideline(s)#1 -2;
 - “Form and Rhythm”, page 49, guideline(s)#1 – 4.
- “Landscaping” pages 53 – 56, guideline(s)#1, 2, 5 – 7, 10.

Commissioner Parsons seconded. Motion carried.

Discussion on Motion: The Commission further discussed the possibility of a swale to address storm water concerns.

Statement of Reason: The proposed pool house is in a tertiary area of visual concern. The pool house is a two story structure 23’ 11” from grade. Materials include metal (roof), cement-board (siding), concrete (pool decking), and the proposed roof style is hipped.

Condition(s): The applicant will design a swale to help navigate storm water concerns. The design will be reviewed at staff level and the neighbor (Delaney) given a opportunity to also view it.

Motion: Commissioner Parsons moved to issue the Certificate of Appropriateness, which was seconded by Commissioner Adolph. Motion carried unanimously.

With no further business Commissioner Adolph moved to adjourn. Accepted.

Diane Filipowicz, Chairman

Annette Stone, AICP
Commission Administration